
**Technology, Energy &
Communications Committee**

HB 2512

Brief Description: Regarding renewable fuel content compliance.

Sponsors: Representatives Morris, Quall, Hudgins and Chase.

Brief Summary of Bill

- Applies misdemeanor penalties for any person who knowingly violates the renewable fuel content standard.
- Makes it unlawful for certain fuel licensees to willfully disregard requirements to provide evidence to the Department of Licensing regarding the total amount of biodiesel and ethanol sold in the state.

Hearing Date: 1/25/08

Staff: Scott Richards (786-7156).

Background:

Renewable Fuel Standards

In 2006, the Legislature enacted minimum renewable fuel content standards for biodiesel and ethanol.

Biodiesel

Special fuel licensees, other than international fuel tax agreement licensees, dyed special fuel users, and special fuel distributors, must provide evidence to the Department of Licensing that at least 2 percent of the total annual diesel fuel sold in Washington is biodiesel fuel by the earlier of November 30, 2008, or upon determination by the Department of Agriculture that enough feedstock is being grown in the state to satisfy the 2 percent requirement.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

If the Director of the Department of Agriculture determines that in-state oil seed crushing capacity and feedstocks can satisfy a 3 percent requirement, these special fuel licensees must provide evidence that at least 5 percent of the total annual diesel fuel sold in the state is biodiesel.

Ethanol

Motor vehicle fuel licensees, other than motor vehicle fuel distributors, must provide evidence to the Department of Licensing that at least 2 percent of total gasoline sold in Washington, measured on a quarterly basis, is denatured ethanol.

All gasoline sold in Washington must contain higher percentages of denatured ethanol if the Director of the Department of Ecology determines that ethanol content greater than 2 percent will not jeopardize continued attainment of federal Clean Air Act standards, and the Director of the Department of Agriculture determines that sufficient raw materials are available within Washington to support economical production of ethanol at higher levels.

Motor Fuel Quality Act Penalties

Misdemeanor penalties relating to motor fuel quality do not apply to fuel licensees required to provide evidence to the Department of Licensing about the total amounts of biodiesel and ethanol sold in the state. Fuel licensees may be assessed a civil penalty ranging from \$100 to \$10,000 per violation occurrence. Civil penalties collected are deposited into the Motor Vehicle Fund.

Summary of Bill:

It is unlawful for fuel licensees to willfully disregard requirements to provide evidence to the Department of Licensing regarding the total amount of biodiesel and ethanol sold in the state.

Misdemeanor penalties apply to any person who knowingly violates the renewable fuel content standard.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.