
SENATE BILL 6285

State of Washington 57th Legislature**2002 Regular Session**

By Senators Regala, Horn, Kline, Jacobsen, Carlson, Rasmussen, Fraser, Kohl-Welles, Eide, Thibaudeau, Fairley, Keiser, McAuliffe, Gardner and Finkbeiner

Read first time 01/14/2002. Referred to Committee on Environment, Energy & Water.

1 AN ACT Relating to providing incentives to reduce air pollution
2 through the use of clean alternative fuel vehicles; amending RCW
3 70.94.030, 82.38.020, 82.38.030, and 82.38.075; adding new sections to
4 chapter 70.94 RCW; adding new sections to chapter 82.04 RCW; providing
5 effective dates; and providing an expiration date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.94 RCW
8 to read as follows:

9 The legislature finds that Washington state faces threats to its
10 economic vitality, public health, and environment from the ongoing and
11 increasing use of gasoline and diesel fuels in motor vehicles. Motor
12 vehicle emissions from petroleum fuels account for more than half of
13 all air pollutants and almost sixty percent of total carbon dioxide
14 emissions in Washington. The legislature finds it is important to
15 begin addressing the negative impacts of continued gasoline and diesel
16 fuel use. Addressing motor vehicle emissions is further needed because
17 of the expected increases in population and vehicle miles traveled,
18 which threaten to erode air quality gains made over the last decade.
19 To make net progress in improving air quality, reducing the threat of

1 climate change, and protecting public health and the environment, the
2 legislature finds it is necessary to encourage the use of clean
3 alternative fuel vehicles.

4 **Sec. 2.** RCW 70.94.030 and 1993 c 252 s 2 are each amended to read
5 as follows:

6 Unless a different meaning is plainly required by the context, the
7 following words and phrases as hereinafter used in this chapter shall
8 have the following meanings:

9 (1) "Air contaminant" means dust, fumes, mist, smoke, other
10 particulate matter, vapor, gas, odorous substance, or any combination
11 thereof.

12 (2) "Air pollution" is presence in the outdoor atmosphere of one or
13 more air contaminants in sufficient quantities and of such
14 characteristics and duration as is, or is likely to be, injurious to
15 human health, plant or animal life, or property, or which unreasonably
16 interfere with enjoyment of life and property. For the purpose of this
17 chapter, air pollution shall not include air contaminants emitted in
18 compliance with chapter 17.21 RCW.

19 (3) "Air quality standard" means an established concentration,
20 exposure time, and frequency of occurrence of an air contaminant or
21 multiple contaminants in the ambient air which shall not be exceeded.

22 (4) "Ambient air" means the surrounding outside air.

23 (5) "Authority" means any air pollution control agency whose
24 jurisdictional boundaries are coextensive with the boundaries of one or
25 more counties.

26 (6) "Best available control technology" (BACT) means an emission
27 limitation based on the maximum degree of reduction for each air
28 pollutant subject to regulation under this chapter emitted from or that
29 results from any new or modified stationary source, that the permitting
30 authority, on a case-by-case basis, taking into account energy,
31 environmental, and economic impacts and other costs, determines is
32 achievable for such a source or modification through application of
33 production processes and available methods, systems, and techniques,
34 including fuel cleaning, clean fuels, or treatment or innovative fuel
35 combustion techniques for control of each such a pollutant. In no
36 event shall application of "best available control technology" result
37 in emissions of any pollutants that will exceed the emissions allowed
38 by any applicable standard under 40 C.F.R. Part 60 and Part 61, as they

1 exist on July 25, 1993, or their later enactments as adopted by
2 reference by the director by rule. Emissions from any source utilizing
3 clean fuels, or any other means, to comply with this subsection shall
4 not be allowed to increase above levels that would have been required
5 under the definition of BACT as it existed prior to enactment of the
6 ((~~federal~~)) federal clean air act amendments of 1990.

7 (7) "Best available retrofit technology" (BART) means an emission
8 limitation based on the degree of reduction achievable through the
9 application of the best system of continuous emission reduction for
10 each pollutant that is emitted by an existing stationary facility. The
11 emission limitation must be established, on a case-by-case basis,
12 taking into consideration the technology available, the costs of
13 compliance, the energy and nonair quality environmental impacts of
14 compliance, any pollution control equipment in use or in existence at
15 the source, the remaining useful life of the source, and the degree of
16 improvement in visibility that might reasonably be anticipated to
17 result from the use of the technology.

18 (8) "Board" means the board of directors of an authority.

19 (9) "Clean alternative fuel vehicle" means a motor vehicle, as
20 defined in RCW 46.04.320, originally designed and equipped by the
21 manufacturer to operate: (a) Exclusively on alternative fuels; (b) as
22 a hybrid vehicle powered by a combination of an electric motor and an
23 engine powered by gasoline, diesel, or an alternative fuel, that has an
24 average estimated fuel economy rating, as determined by the
25 environmental protection agency's national vehicle and fuel emissions
26 laboratory, of at least forty miles per gallon; or (c) as a fuel cell
27 vehicle powered by gasoline or an alternative fuel. Vehicles less than
28 twelve thousand pounds gross vehicle weight must also meet or exceed
29 the federal emission standards for ultralow emission vehicles. For
30 purposes of this subsection, "alternative fuels" are defined as natural
31 gas, propane, hydrogen, and electricity.

32 (10) "Control officer" means the air pollution control officer of
33 any authority.

34 ((+10))) (11) "Department" or "ecology" means the department of
35 ecology.

36 ((+11))) (12) "Emission" means a release of air contaminants into
37 the ambient air.

38 ((+12))) (13) "Emission standard" and "emission limitation" mean a
39 requirement established under the federal clean air act or this chapter

1 that limits the quantity, rate, or concentration of emissions of air
2 contaminants on a continuous basis, including any requirement relating
3 to the operation or maintenance of a source to assure continuous
4 emission reduction, and any design, equipment, work practice, or
5 operational standard adopted under the federal clean air act or this
6 chapter.

7 ((+13))) (14) "Lowest achievable emission rate" (LAER) means for
8 any source that rate of emissions that reflects:

9 (a) The most stringent emission limitation that is contained in the
10 implementation plan of any state for such class or category of source,
11 unless the owner or operator of the proposed source demonstrates that
12 such limitations are not achievable; or

13 (b) The most stringent emission limitation that is achieved in
14 practice by such class or category of source, whichever is more
15 stringent.

16 In no event shall the application of this term permit a proposed
17 new or modified source to emit any pollutant in excess of the amount
18 allowable under applicable new source performance standards.

19 ((+14))) (15) "Modification" means any physical change in, or
20 change in the method of operation of, a stationary source that
21 increases the amount of any air contaminant emitted by such source or
22 that results in the emission of any air contaminant not previously
23 emitted. The term modification shall be construed consistent with the
24 definition of modification in Section 7411, Title 42, United States
25 Code, and with rules implementing that section.

26 ((+15))) (16) "Multicounty authority" means an authority which
27 consists of two or more counties.

28 ((+16))) (17) "New source" means (a) the construction or
29 modification of a stationary source that increases the amount of any
30 air contaminant emitted by such source or that results in the emission
31 of any air contaminant not previously emitted, and (b) any other
32 project that constitutes a new source under the federal clean air act.

33 ((+17))) (18) "Permit program source" means a source required to
34 apply for or to maintain an operating permit under RCW 70.94.161.

35 ((+18))) (19) "Person" means an individual, firm, public or private
36 corporation, association, partnership, political subdivision of the
37 state, municipality, or governmental agency.

38 ((+19))) (20) "Reasonably available control technology" (RACT)
39 means the lowest emission limit that a particular source or source

1 category is capable of meeting by the application of control technology
2 that is reasonably available considering technological and economic
3 feasibility. RACT is determined on a case-by-case basis for an
4 individual source or source category taking into account the impact of
5 the source upon air quality, the availability of additional controls,
6 the emission reduction to be achieved by additional controls, the
7 impact of additional controls on air quality, and the capital and
8 operating costs of the additional controls. RACT requirements for a
9 source or source category shall be adopted only after notice and
10 opportunity for comment are afforded.

11 ((+20))) (21) "Silvicultural burning" means burning of wood fiber
12 on forest land consistent with the provisions of RCW 70.94.660.

13 ((+21))) (22) "Source" means all of the emissions units including
14 quantifiable fugitive emissions, that are located on one or more
15 contiguous or adjacent properties, and are under the control of the
16 same person, or persons under common control, whose activities are
17 ancillary to the production of a single product or functionally related
18 group of products.

19 ((+22))) (23) "Stationary source" means any building, structure,
20 facility, or installation that emits or may emit any air contaminant.

21 NEW SECTION. **Sec. 3.** A new section is added to chapter 82.04 RCW
22 to read as follows:

23 (1) Persons who are taxable under this chapter may take a credit
24 for the purchase, or the lease for a period of at least three years, of
25 new clean alternative fuel vehicles as defined in RCW 70.94.030(9)(a),
26 (b), or (c), if the vehicles are exclusively used in business
27 operations. The credit shall be based upon the following schedule:

VEHICLE TONNAGE	CREDIT
Less than 12,000 pounds gross vehicle weight	25 percent of the base cost or \$5,000, whichever is less
Over 12,000 pounds gross vehicle weight	25 percent of the base cost or \$20,000, whichever is less

33 (2) The credit may not exceed the amount of tax that would
34 otherwise be due under this chapter. The credit may be accrued and
35 carried over until it is used. Refunds shall not be granted in place
36 of credits. The maximum amount of credit under this section that may

1 be claimed, by each person, for any calendar year shall not exceed two
2 hundred thousand dollars.

3 (3) Tax credit may not be claimed for expenditures that occurred
4 before the effective date of this section or expenditures that occur
5 after the date specified in section 6 of this act.

6 (4) The tax credit for vehicles defined under RCW 70.94.030(9)(b)
7 expires June 30, 2004.

8 **NEW SECTION.** **Sec. 4.** A new section is added to chapter 82.04 RCW
9 to read as follows:

10 (1) Persons who are taxable under this chapter and provide
11 financial assistance for the purchase, or the lease for a period of at
12 least three years, of new clean alternative fuel vehicles as defined in
13 RCW 70.94.030 to school districts, transit agencies, and local
14 governments may take a credit for amounts paid, if the vehicles are
15 used for public transit. School buses are considered public transit
16 for purposes of this section.

17 (2) The credit may not exceed the amount of tax that would
18 otherwise be due under this chapter. The credit may be accrued and
19 carried over until it is used. Refunds shall not be granted in place
20 of credits. The maximum amount of credit under this section that may
21 be claimed, by each person, for any calendar year shall not exceed two
22 hundred thousand dollars.

23 (3) Tax credit may not be claimed for financial assistance that
24 occurred before the effective date of this section or financial
25 assistance that occur after the date specified in section 6 of this
26 act.

27 **NEW SECTION.** **Sec. 5.** A new section is added to chapter 82.04 RCW
28 to read as follows:

29 (1) Persons who are taxable under this chapter may take a credit
30 for the costs expended for acquiring and installing alternative fuel
31 and electric vehicle recharging equipment, including alternative fuel
32 storage tanks. Alternative fuel means natural gas, propane, hydrogen,
33 fuel containing a minimum of eighty-five percent ethanol, and fuel
34 containing a minimum of twenty percent biodiesel. The credit shall be
35 based upon the following schedule:

36 (a) Fifty percent of the costs incurred at facilities open to the
37 public not to exceed two hundred thousand dollars; and

1 (b) Twenty-five percent of the costs incurred at facilities not
2 open to the public not to exceed one hundred thousand dollars.

3 (2) The credit may not exceed the amount of tax that would
4 otherwise be due under this chapter. The credit may be accrued and
5 carried over until it is used. Refunds shall not be granted in place
6 of credits. The maximum amount of credit under this section that may
7 be claimed, by each person, for any calendar year shall not exceed one
8 million dollars.

9 (3) Tax credit may not be claimed for expenditures that occurred
10 before the effective date of this section or expenditures that occur
11 after the date specified in section 6 of this act.

12 NEW SECTION. **Sec. 6.** A new section is added to chapter 82.04 RCW
13 to read as follows:

14 Tax credits under sections 3, 4, and 5 of this act shall not be
15 allowed for expenditures that occur after December 31, 2010.

16 **Sec. 7.** RCW 82.38.020 and 2001 c 270 s 4 are each amended to read
17 as follows:

18 The definitions in this section apply throughout this chapter
19 unless the context clearly requires otherwise.

20 (1) "Biodiesel" means a mono alkyl ester of long chain fatty acids
21 derived from vegetable oils or animal fat for use in compression-
22 ignition engines.

23 (2) "Blended special fuel" means a mixture of undyed diesel fuel
24 and another liquid, other than a de minimis amount of the liquid, that
25 can be used as a fuel to propel a motor vehicle.

26 ((+2))) (3) "Blender" means a person who produces blended special
27 fuel outside the bulk transfer-terminal system.

28 ((+3))) (4) "Bond" means a bond duly executed with a corporate
29 surety qualified under chapter 48.28 RCW, which bond is payable to the
30 state of Washington conditioned upon faithful performance of all
31 requirements of this chapter, including the payment of all taxes,
32 penalties, and other obligations arising out of this chapter.

33 ((+4))) (5) "Bulk transfer-terminal system" means the special fuel
34 distribution system consisting of refineries, pipelines, vessels, and
35 terminals. Special fuel in a refinery, pipeline, vessel, or terminal
36 is in the bulk transfer-terminal system. Special fuel in the fuel tank
37 of an engine, motor vehicle, or in a railcar, trailer, truck, or other

1 equipment suitable for ground transportation is not in the bulk
2 transfer-terminal system.

3 ((+5)) (6) "Bulk transfer" means a transfer of special fuel by
4 pipeline or vessel.

5 ((+6)) (7) "Bulk storage" means the placing of special fuel into
6 a receptacle other than the fuel supply tank of a motor vehicle.

7 ((+7)) (8) "Department" means the department of licensing.

8 ((+8)) (9) "Dyed special fuel user" means a person authorized by
9 the internal revenue code to operate a motor vehicle on the highway
10 using dyed special fuel, in which the use is not exempt from the
11 special fuel tax.

12 ((+9)) (10) "Evasion" or "evade" means to diminish or avoid the
13 computation, assessment, or payment of authorized taxes or fees
14 through:

15 (a) A knowing: False statement; misrepresentation of fact; or
16 other act of deception; or

17 (b) An intentional: Omission; failure to file a return or report;
18 or other act of deception.

19 ((+10)) (11) "Export" means to obtain special fuel in this state
20 for sales or distribution outside the state.

21 ((+11)) (12) "Highway" means every way or place open to the use of
22 the public, as a matter of right, for the purpose of vehicular travel.

23 ((+12)) (13) "Import" means to bring special fuel into this state
24 by a means of conveyance other than the fuel supply tank of a motor
25 vehicle.

26 ((+13)) (14) "International fuel tax agreement licensee" means a
27 special fuel user operating qualified motor vehicles in interstate
28 commerce and licensed by the department under the international fuel
29 tax agreement.

30 ((+14)) (15) "Lessor" means a person: (a) Whose principal
31 business is the bona fide leasing or renting of motor vehicles without
32 drivers for compensation to the general public; and (b) who maintains
33 established places of business and whose lease or rental contracts
34 require the motor vehicles to be returned to the established places of
35 business.

36 ((+15)) (16) "Licensee" means a person holding a license issued
37 under this chapter.

1 ((+16))) (17) "Motor vehicle" means a self-propelled vehicle
2 designed for operation upon land utilizing special fuel as the means of
3 propulsion.

4 ((+17))) (18) "Natural gas" means naturally occurring mixtures of
5 hydrocarbon gases and vapors consisting principally of methane, whether
6 in gaseous or liquid form.

7 ((+18))) (19) "Person" means a natural person, fiduciary,
8 association, or corporation. The term "person" as applied to an
9 association means and includes the partners or members thereof, and as
10 applied to corporations, the officers thereof.

11 ((+19))) (20) "Position holder" means a person who holds the
12 inventory position in special fuel, as reflected by the records of the
13 terminal operator. A person holds the inventory position in special
14 fuel if the person has a contractual agreement with the terminal for
15 the use of storage facilities and terminating services at a terminal
16 with respect to special fuel. "Position holder" includes a terminal
17 operator that owns special fuel in their terminal.

18 ((+20))) (21) "Rack" means a mechanism for delivering special fuel
19 from a refinery or terminal into a truck, trailer, railcar, or other
20 means of nonbulk transfer.

21 ((+21))) (22) "Refiner" means a person who owns, operates, or
22 otherwise controls a refinery.

23 ((+22))) (23) "Removal" means a physical transfer of special fuel
24 other than by evaporation, loss, or destruction.

25 ((+23))) (24) "Special fuel" means and includes all combustible
26 gases and liquids suitable for the generation of power for propulsion
27 of motor vehicles, except that it does not include motor vehicle fuel
28 as defined in chapter 82.36 RCW, nor does it include dyed special fuel
29 as defined by federal regulations. However, if the federal regulations
30 authorize dyed special fuel to be used in highway vehicles, that usage
31 is considered taxable under this chapter, unless otherwise exempted.

32 ((+24))) (25) "Special fuel distributor" means a person who
33 acquires special fuel from a supplier, distributor, or licensee for
34 subsequent sale and distribution.

35 ((+25))) (26) "Special fuel exporter" means a person who purchases
36 special fuel in this state and directly exports the fuel by a means
37 other than the bulk transfer-terminal system to a destination outside
38 of the state.

1 ((+26))) (27) "Special fuel importer" means a person who imports
2 special fuel into the state by a means other than the bulk transfor-
3 minal system. If the importer of record is acting as an agent, the
4 person for whom the agent is acting is the importer. If there is no
5 importer of record, the owner of the special fuel at the time of
6 importation is the importer.

7 ((+27))) (28) "Special fuel supplier" means a person who holds a
8 federal certificate issued under the internal revenue code and
9 authorizes the person to tax-free transactions on special fuel in the
10 bulk transfer-terminal system.

11 ((+28))) (29) "Special fuel user" means a person engaged in uses of
12 special fuel that are not specifically exempted from the special fuel
13 tax imposed under this chapter.

14 ((+29))) (30) "Terminal" means a special fuel storage and
15 distribution facility that has been assigned a terminal control number
16 by the internal revenue service, is supplied by pipeline or vessel, and
17 from which reportable special fuel is removed at a rack.

18 ((+30))) (31) "Terminal operator" means a person who owns,
19 operates, or otherwise controls a terminal.

20 ((+31))) (32) "Two-party exchange" or "buy-sell agreement" means a
21 transaction in which taxable special fuel is transferred from one
22 licensed supplier to another licensed supplier under an exchange or
23 buy-sell agreement whereby the supplier that is the position holder
24 agrees to deliver taxable special fuel to the other supplier or the
25 other supplier's customer at the rack of the terminal at which the
26 delivering supplier is the position holder.

27 **Sec. 8.** RCW 82.38.030 and 2001 c 270 s 6 are each amended to read
28 as follows:

29 (1) There is hereby levied and imposed upon special fuel users a
30 tax at the rate computed in the manner provided in RCW 82.36.025 on
31 each gallon of special fuel, or each one hundred cubic feet of
32 compressed natural gas, measured at standard pressure and temperature,
33 except a tax rate of eleven and one-half cents per gallon shall apply
34 to users of fuel containing a minimum of twenty percent biodiesel or a
35 minimum of eighty-five percent ethanol.

36 (2) The tax imposed by subsection (1) of this section is imposed
37 when:

1 (a) Special fuel is removed in this state from a terminal if the
2 special fuel is removed at the rack unless the removal is to a licensed
3 exporter for direct delivery to a destination outside of the state, or
4 the removal is to a special fuel distributor for direct delivery to an
5 international fuel tax agreement licensee under RCW 82.38.320;

6 (b) Special fuel is removed in this state from a refinery if either
7 of the following applies:

8 (i) The removal is by bulk transfer and the refiner or the owner of
9 the special fuel immediately before the removal is not a licensee; or

10 (ii) The removal is at the refinery rack unless the removal is to
11 a licensed exporter for direct delivery to a destination outside of the
12 state, or the removal is to a special fuel distributor for direct
13 delivery to an international fuel tax agreement licensee under RCW
14 82.38.320;

15 (c) Special fuel enters into this state for sale, consumption, use,
16 or storage if either of the following applies:

17 (i) The entry is by bulk transfer and the importer is not a
18 licensee; or

19 (ii) The entry is not by bulk transfer;

20 (d) Special fuel is sold or removed in this state to an unlicensed
21 entity unless there was a prior taxable removal, entry, or sale of the
22 special fuel;

23 (e) Blended special fuel is removed or sold in this state by the
24 blender of the fuel. The number of gallons of blended special fuel
25 subject to tax is the difference between the total number of gallons of
26 blended special fuel removed or sold and the number of gallons of
27 previously taxed special fuel used to produce the blended special fuel;

28 (f) Dyed special fuel is used on a highway, as authorized by the
29 internal revenue code, unless the use is exempt from the special fuel
30 tax;

31 (g) Special fuel purchased by an international fuel tax agreement
32 licensee under RCW 82.38.320 is used on a highway; and

33 (h) Special fuel is sold by a licensed special fuel supplier to a
34 special fuel distributor, special fuel importer, or special fuel
35 blender and the special fuel is not removed from the bulk transfer-
36 terminal system.

37 (3) The tax imposed by this chapter, if required to be collected by
38 the licensee, is held in trust by the licensee until paid to the
39 department, and a licensee who appropriates or converts the tax

1 collected to his or her own use or to any use other than the payment of
2 the tax to the extent that the money required to be collected is not
3 available for payment on the due date as prescribed in this chapter is
4 guilty of a felony, or gross misdemeanor in accordance with the theft
5 and anticipatory provisions of Title 9A RCW. A person, partnership,
6 corporation, or corporate officer who fails to collect the tax imposed
7 by this section, or who has collected the tax and fails to pay it to
8 the department in the manner prescribed by this chapter, is personally
9 liable to the state for the amount of the tax.

10 **Sec. 9.** RCW 82.38.075 and 1983 c 212 s 1 are each amended to read
11 as follows:

12 In order to encourage the use of nonpolluting fuels, an annual
13 license fee in lieu of the tax imposed by RCW 82.38.030 shall be
14 imposed upon the use of natural gas as defined in this chapter ((or))
15 on liquified petroleum gas, commonly called propane, or hydrogen, which
16 is used in any motor vehicle, as defined in RCW 46.04.320, which shall
17 be based upon the following schedule as adjusted by the formula set out
18 below:

19	VEHICLE TONNAGE (GVW)	FEE
20	0 - 6,000	\$ 45
21	6,001 - 10,000	\$ 45
22	10,001 - 18,000	\$ 80
23	18,001 - 28,000	\$110
24	28,001 - 36,000	\$150
25	36,001 and above	\$250

To determine the actual annual license fee imposed by this section for a registration year, the appropriate dollar amount set out in the above schedule shall be multiplied by ((the motor vehicle fuel tax rate in cents per gallon as established by RCW 82.36.025 effective on July 1st of the preceding calendar year)) eleven and one-half cents per gallon and the product thereof shall be divided by 12 cents.

32 The department of licensing, in addition to the foregoing fee,
33 shall charge a further fee of five dollars as a handling charge for
34 each license issued.

35 The director of licensing shall be authorized to prorate the
36 vehicle tonnage fee so that the annual license required by this section
37 will correspond with the staggered vehicle licensing system.

1 A decal or other identifying device issued upon payment of these
2 annual fees shall be displayed as prescribed by the department as
3 authority to purchase this fuel.

4 Persons selling or dispensing natural gas or propane may not sell
5 or dispense this fuel for their own use or the use of others into tanks
6 of vehicles powered by this fuel which do not display a valid decal or
7 other identifying device as provided in this section.

8 Vehicles registered in jurisdictions outside the state of
9 Washington are exempt from this section.

10 Any person selling or dispensing natural gas or propane into the
11 tank of a motor vehicle powered by this fuel, except as prescribed in
12 this chapter, is subject to the penalty provisions of this chapter.

13 NEW SECTION. **Sec. 10.** A new section is added to chapter 70.94 RCW
14 to read as follows:

15 The Washington State University energy program, in consultation
16 with the departments of ecology, revenue, and licensing; local
17 governments; vehicle manufacturers and suppliers; and other interested
18 parties shall collect and review the relevant data associated with the
19 provisions of chapter . . . , Laws of 2002 (this act) and evaluate the
20 effectiveness of these incentives in improving air quality and
21 increasing the use of clean alternative fuel vehicles. The Washington
22 State University energy program shall present its findings and make
23 recommendations as appropriate to the legislature biennially on or
24 before November 30th, beginning in 2005.

25 NEW SECTION. **Sec. 11.** Sections 1 through 6 of this act take
26 effect August 1, 2002.

27 NEW SECTION. **Sec. 12.** Sections 7 through 10 of this act take
28 effect January 1, 2003.

29 NEW SECTION. **Sec. 13.** Sections 7 through 10 of this act expire
30 December 31, 2010.

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