

Regular Session, 2012

HOUSE BILL NO. 664

BY REPRESENTATIVE ORTEGO

PROCUREMENT: Provides with respect to the purchase of alternative fuel vehicles for the state fleet

1 AN ACT

2 To amend and reenact R.S. 39:364(A), relative to motor vehicles used by state agencies; to  
3 provide for the purchase or lease of vehicles which use certain alternative fuels; to  
4 provide for the types of vehicles; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 39:364(A) is hereby amended and reenacted to read as follows:

7 §364. Purchase or lease of fleet vehicles; use of alternative fuel vehicles and hybrid  
8 vehicles; exceptions

9 A.(1) The commissioner of administration shall not purchase or lease any  
10 motor vehicle for use by any state agency unless that vehicle is capable of and  
11 equipped for using ~~an alternative fuel that results in lower emissions of oxides of~~  
12 ~~nitrogen, volatile organic compounds, carbon monoxide, or particulates or any~~  
13 ~~combination thereof that meet or exceed federal Clean Air Act standards, including~~  
14 ~~but not limited to hybrid vehicles. Alternative fuels shall include compressed~~  
15 ~~natural gas, liquefied petroleum gas, reformulated gasoline, methanol, ethanol,~~  
16 ~~advanced biofuel, electricity, and any other fuels which meet or exceed federal Clean~~  
17 ~~Air Act standards~~ liquified petroleum gas or compressed natural gas or the vehicle  
18 is a multi-fuel vehicle, which shall hereinafter be referred to collectively as  
19 "alternative fuel vehicle".

1           ~~(2) For the purposes of this Section, "hybrid vehicle" shall mean a vehicle~~  
2           ~~that employs a combustion engine system together with an electric propulsion system~~  
3           ~~that results in lower emissions of oxides of nitrogen, volatile organic compounds,~~  
4           ~~carbon monoxide, or particulates or any combination thereof that meet or exceed~~  
5           ~~federal Clean Air Act standards.~~

6           ~~(3)~~ (2) A state agency may acquire or be provided equipment or refueling  
7           facilities necessary to operate such ~~alternate~~ alternative fuel ~~or hybrid~~ vehicles by  
8           any of the following methods:

9           (a) Purchase or lease as authorized by law provided that the state shall  
10           recoup its actual costs, including finance charges, through reduced costs of operating  
11           such vehicles within forty-eight months of the purchase or lease.

12           (b) Gift or loan of the equipment or facilities.

13           (c) Gift or loan of the equipment or facilities or other arrangement pursuant  
14           to a service contract for the supply of alternative fuels.

15           ~~(4)~~ (3) The commissioner may waive the requirements of this Subsection for  
16           any state agency upon receipt of certification supported by evidence acceptable to  
17           the commissioner that either of the following situations applies:

18           (a) The agency's vehicles will be operating primarily in an area in which  
19           neither the agency nor a supplier has or can reasonably be expected to establish a  
20           central refueling station for alternative fuel ~~or hybrid~~ vehicles.

21           (b) The agency is unable to acquire or be provided equipment or refueling  
22           facilities necessary to operate ~~alternate~~ alternative fuel ~~or hybrid~~ vehicles at a  
23           projected cost that is reasonably expected to result in no greater net costs than the  
24           continued use of traditional gasoline or diesel fuels measured over the expected  
25           useful life of the equipment or facilities supplied.

26           ~~(5) A governmental body, state educational institution, or instrumentality of~~  
27           ~~the state that performs essential governmental functions on a statewide or local basis~~  
28           ~~is entitled to purchase E20, E30, or E85 advanced biofuel directly from a qualified~~  
29           ~~small advanced biofuel manufacturing facility at a price equal to fifteen percent less~~

1 ~~per gallon than the price of unleaded gasoline for use in any motor vehicle. The~~  
2 ~~price of unleaded gasoline will be the prevailing average price for the locality on the~~  
3 ~~date of purchase.~~

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Ortego HB No. 664

**Abstract:** Changes the types of alternative fuel vehicles to be used by state agencies

Present law requires that motor vehicles leased or purchased for use by state agencies be capable of using alternative fuels or be hybrid vehicles.

Present law defines "alternative fuel" to mean compressed natural gas, liquefied petroleum gas, reformulated gasoline, methanol, ethanol, advanced biofuel, electricity, and any other fuels which meet or exceed federal Clean Air Act standards.

Proposed law changes present law by limiting the definition of "alternative fuel" to mean "compressed natural gas" and "liquefied petroleum gas".

Proposed law changes present law by substituting multi-fuel vehicles for hybrid vehicles, as those which can be purchased or leased by the state.

(Amends R.S. 39:364(A))