

**STATE FINANCE AND PROCUREMENT
DIVISION II. GENERAL PROCUREMENT LAW
TITLE 14. PREFERENCES
SUBTITLE 4. MISCELLANEOUS PURCHASING PREFERENCES**

Md. STATE FINANCE AND PROCUREMENT Code Ann. § 14-408 (2011)

§ 14-408. State fleet biodiesel fuel or other approved biofuel usage.

(a) "Biodiesel fuel" defined. -- In this section, "biodiesel fuel" means:

(1) a fuel, comprised of mono-alkyl esters of long chain fatty acids derived from vegetable oils or animal fats, that is designated B100 and meets the requirements of ASTM D 6751 and its successors; or

(2) a blend of biodiesel fuel meeting ASTM D 6751 with petroleum-based diesel fuel, designated as BXX, where XX represents the volume percentage of biodiesel fuel in the blend.

(b) In general. -- In fiscal year 2008 and in each subsequent fiscal year, the State shall ensure that at least 50% of the vehicles using diesel fuel in the State vehicle fleet use a blend of fuel that is at least 5% biodiesel fuel or other biofuel approved by the U.S. Environmental Protection Agency as a fuel or fuel additive or approved under the EPA Renewable Fuels Standard 2 program.

(c) Fiscal year 2009. -- In fiscal year 2009 and in each subsequent fiscal year, the State shall ensure that at least 50% of the heavy equipment owned by the State using diesel fuel and at least 50% of the heating equipment in State buildings that uses normal or #2 heating oil use, subject to availability, a blend of fuel that is at least 5% biodiesel fuel or other biofuel approved by the U.S. Environmental Protection Agency as a fuel or fuel additive or approved under the EPA Renewable Fuels Standard 2 program.

(d) Exceptions. -- This section does not apply to any State vehicle, piece of heavy equipment, or heating equipment for which mechanical failure due to use of biodiesel fuel or other biofuel will void the manufacturer's warranty for that vehicle, piece of heavy equipment, or heating equipment.

HISTORY: 2006, ch. 425; 2007, ch. 623; 2011, ch. 567.