

SENATE BILL No. 91

January 25, 2007, Introduced by Senators BASHAM, JACOBS, PRUSI, GLEASON, BRATER and OLSHOVE and referred to the Committee on Energy Policy.

A bill to require local units of government to use ultra-low-sulfur diesel fuel in certain vehicles under certain conditions.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) Beginning October 1, 2007, all nonroad specialty
2 vehicles owned or leased by a local unit of government in which all
3 or a part of that local unit of government has been determined by
4 the United States environmental protection agency as not being in
5 attainment with the national ambient air quality standards for
6 ozone under the clean water act, 42 USC 7511, shall utilize ultra-
7 low-sulfur diesel fuel and the best available technology for
8 reducing the emission of pollutants.

9 (2) Beginning October 1, 2007, if a local unit of government

1 enters into a procurement contract or any other contract in which
2 the contractor may utilize nonroad specialty vehicles in the
3 fulfillment of the contract that are used in a local unit of
4 government in which all or a part of that local unit of government
5 has been determined by the United States environmental protection
6 agency as not being in attainment with the national ambient air
7 quality standards for ozone under the clean water act, 42 USC 7511,
8 the contract shall provide that the contractor shall utilize only
9 nonroad specialty vehicles that utilize ultra-low-sulfur diesel
10 fuel and the best available technology for reducing the emission of
11 pollutants in fulfillment of the contract.

12 (3) To the extent they are available, federal funds shall be
13 used to retrofit nonroad specialty vehicles owned or leased by a
14 local unit of government to make them compatible with the use of
15 ultra-low-sulfur diesel fuel.

16 (4) As used in this act:

17 (a) "Local unit of government" means a county, city, village,
18 or township.

19 (b) "Nonroad specialty vehicle" means a vehicle that is
20 powered by an internal combustion engine that is 50-horsepower or
21 greater and fueled by diesel fuel that is not a motor vehicle or a
22 vehicle used solely for competition, which shall include, but is
23 not limited to, an excavator, backhoe, crane, compressor,
24 generator, bulldozer, and similar equipment.

25 (c) "Ultra-low-sulfur diesel fuel" means diesel fuel that has
26 a sulfur content of no more than 15 parts per million.