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**Biofuels Statutory Citations**

**State of Michigan**

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## Biofuels Statutory Citations

### STATE OF MICHIGAN

*This compilation of state statutory citations focuses predominantly on biofuels laws in effect January 1, 1970 through December 31, 2013. It is intended to serve as a researcher-friendly inventory of state laws by providing the formal title of relevant legislation, the standard legal citation for each statute, the applicability of the statute (ethanol, biodiesel, or both), and a brief description of the law. Some statutes and regulations listed do not specifically relate to biofuels, but are included because of their complementary relationship to the evolution of biofuels law in the state. These statutes are placed in reverse chronological order using the date of the most recent amendment to the statute. Many biofuels laws were enacted as amendments to previously passed laws.*

<b>Title</b>	<b>Citation</b>	<b>Applicability</b>	<b>Description</b>
Biofuel production facilities (2011)	<a href="#">MICH. COMP. LAWS § 125.3513</a>	Both	Biofuel production facilities located on a farm where at least 75% of the feedstock is sourced, and which are not within 100 ft. of the property line will not require special land use approval.
Schools as green, emerald, or evergreen (2010)	<a href="#">MICH. COMP. LAWS § 324.2511</a>	Both	Use of renewable fuels is one activity that can help private and public schools receive an environmental stewardship designation.
Abolition of renewable fuels commission (2010)	<a href="#">MICH. COMP. LAWS § 290.591</a>	Both	Officially abolishes the state's Renewable Fuels Commission, effective October 18, 2010.
Transfer of powers (2009)	<a href="#">MICH. COMP. LAWS § 445.2026</a>	Both	Officially transfers oversight of biofuel purity and quality standards from the Dep't of Labor and Economic Growth to the Dep't of Agriculture, effective May 3, 2009.
Transfer of powers (2008)	<a href="#">MICH. COMP. LAWS § 445.2025</a>	Both	Officially transfers oversight of the production, promotion, and use of biofuels from the Dep't of Agriculture to the Dep't of Labor and Economic Growth, effective December 28, 2008.

Purity and quality of gasoline and diesel fuel offered for sale (2008)	<a href="#">MICH. COMP. LAWS § 290.643</a>	Biodiesel	Allows for the establishment of standards regarding the purity and quality of the gasoline and diesel sold within the state.
Renewable fuels fund (2008)	<a href="#">MICH. COMP. LAWS § 290.645A</a>	Both	Creates the Renewable Fuels Fund to promote the production and use of alternative fuels, provide grants to improve alternative fuels, and fund incentives to alternative fuel retailers.
Alternative Fuel Production Facilities (2008)	<a href="#">MICH. COMP. LAWS §§ 285.341 TO 285.343</a>	Both	Requires the Dep't of Agriculture to study and subsequently publish about the production of alternative fuels and those facilities within the state.
Credits; costs of conversion or creation of fuel delivery systems (2008)	<a href="#">MICH. COMP. LAWS § 208.1460</a>	Both	Provides a tax credit to retailers for up to 30% of the expenses necessary to convert existing fuel stations to sell E85 and/or qualified biodiesel blends. The credit is capped at \$20,000 per tax payer per year. Sunsets after the 2011 tax year.
Economic Growth Authority Act (2008)	<a href="#">MICH. COMP. LAWS § 207.803</a>	Both	Classifies advanced vehicle technology, including development of alternative fuel vehicles, as a high-technology business, which is thus potentially eligible for economic growth tax credits.
Designation of additional renaissance zones (2008)	<a href="#">MICH. COMP. LAWS § 125.2688E</a>	Both	Provides criteria for the establishment and/or revocation of geographic renaissance zones for the production of renewable fuels, with at least five zones dedicated to cellulosic production.
Renewable fuel plants; inventory of prime sites (2008)	<a href="#">MICH. COMP. LAWS § 125.2079</a>	Both	Requires the state to identify prime sites for renewable fuel plants and work with local economic agencies to publicize that information.

Credits; next energy authority act or qualified alternative energy entity (2007)	<a href="#">MICH. COMP. LAWS § 208.1429</a>	Both	Provides a tax credit for all or a portion of expenses related to research, development, and/or manufacturing of alternative energy, including renewable fuels.
Tax credit-qualified alternative energy entity (2007)	<del>MICH. COMP. LAWS § 208.39E</del> <b>(REPEALED, DEC. 31, 2007)</b>	Both	Provided a tax credit on all renewable fuels production in Michigan. Repealed for tax years after January 1, 2007.
Michigan Next Energy Authority (2007)	<a href="#">MICH. COMP. LAWS §§ 207.821 TO 207.827</a>	Both	Creates an Authority to provide assistance for research, development, and manufacturing of alternative clean energy, including clean fuels.
Manufacture, sale, shipment, etc., of fuel (2006)	<a href="#">MICH. COMP. LAWS § 290.645</a>	Biodiesel	Requires that all blended biodiesel and biodiesel refined in the state meet the requirements set forward by the state. Violation of these requirements may subject them to a civil fine of no more than \$10,000 per day.
Sale, transfer, etc., of gasoline, diesel fuel, biodiesel, biodiesel blended, or hydrogen fuel; (2006)	<a href="#">MICH. COMP. LAWS § 290.646</a>	Both	Requires retailers and distributors to obtain a state license for each retail outlet before selling any fuel, including alternative fuels. Blenders are required to register with the state before selling or transferring their products.
Inspection, investigation, and testing program (2006)	<a href="#">MICH. COMP. LAWS § 290.647</a>	Both	Requires the establishment of an oversight program for testing fuels sold within the state, including alternative fuels.
Renewable Fuels Commission Act (2006)	<del>MICH. COMP. LAWS §§ 290.581 TO 290.586</del> <b>(REPEALED, JAN. 1, 2012)</b>	Both	Creates a commission that is aid in implementing research on alternative fuels, including biodiesel and ethanol. Shall keep track of all producers and places to buy alternative fuels.

Imposition of tax on motor fuel (2006)	<a href="#">MICH. COMP. LAWS § 207.1008</a>	Both	Gasoline that is at least 70% ethanol, and diesel that is at least 5% biodiesel, are subject to a \$.12/gal fuel tax. Also requires ethanol and biodiesel blenders to obtain a state license.
Road tax (2006)	<a href="#">MICH. COMP. LAWS § 207.212</a>	Biodiesel	Commercial carriers are subject to a road tax based on the number of miles traveled in the state and gallons of fuel used. The tax is calculated at \$.12/gal for fuel that is at least 5% biodiesel.
Service station matching grant program; bulk plant matching grant program (2006)	<a href="#">MICH. COMP. LAWS § 125.2078</a>	Both	Creates grants to provide financial incentives for the conversion and construction of stations to E85 and blended biodiesel. Existing sites and new construction are eligible to recover a portion of their costs, subject to certain caps based on the project.
Motor vehicles; directives (2006)	<a href="#">MICH. COMP. LAWS § 18.1213</a>	Both	Requires the state to develop fueling infrastructure to refuel state fleet vehicles that run on alternative fuels no later than January 1, 2007.
Gasoline sales; posting of notice grade and additives (2004)	<a href="#">MICH. COMP. LAWS § 290.644</a>	Ethanol	Retailers must provide notice on the fuel pump of the amount of alcohol within the fuel, unless it is less than 10% ethanol.
Plant rehabilitation and industrial development districts (2003)	<a href="#">MICH. COMP. LAWS § 207.552</a>	Biodiesel	Includes biodiesel processing plants within the definition of industrial property for taxation incentive purposes.