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Biofuels Statutory Citations

State of Ohio

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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.

Title	Citation	Applicability	Description
Diesel emissions reduction grant program (2014)	OHIO REV. CODE ANN. § 122.861	Biodiesel	Creates the Diesel Emissions Reduction Grant Program and the Clean Diesel School Bus Program to providing funding for projects that will reduce diesel emissions.
Definitions (2013)	OHIO REV. CODE ANN. § 3706.01	Both	Defines “air quality facility” to include ethanol and biodiesel facilities.
School buses; pollution control equipment grants (2013)	OHIO REV. CODE ANN. § 3704.144	Both	Directs grants to be made to schools to allow them to convert school buses to run on alternative fuels. Priority must be given to districts in nonattainment areas.
Alternative fuel resource officer (2013)	OHIO REV. CODE ANN. § 125.837 (REPEALED, SEPT. 29, 2013)	Both	One employee will be designated to monitor federal laws on alternative fuels that may affect state and will help explain alternative fuel issues to the other state employees.
Biodiesel revolving fund (2013)	OHIO REV. CODE ANN. § 125.836	Biodiesel	A program to provide funds to cover the incremental cost of biodiesel use in vehicles owned or leased by the state.

Alternative fuel transportation grant program (2013)	OHIO REV. CODE ANN. § 122.075	Both	A program to provide grants and loans to public and private entities for the development of alternative fuel infrastructure. Maximum grant eligibility is 80% of the project costs.
Advanced energy research and development fund (2012)	OHIO REV. CODE ANN. § 3706.27	Both	A program to provide grants and loans for advanced energy projects.
Definitions (2012)	OHIO REV. CODE ANN. § 166.01	Both	Defines public capital improvement projects to include biofuel facilities for the purposes of the state Economic Development Program.
Alternative motor fuel retail dealers (2010)	OHIO REV. CODE ANN. § 5747.77	Both	Defines key alternative fuel terms for purposes of the income tax chapter.
Fleet Management, definitions (2009)	OHIO REV. CODE ANN. § 125.831	Both	Defines alternative fuel to include E85 blended fuel and blended biodiesel for the purposes of state fleet management.
Bioproducts development program (2008)	OHIO REV. CODE ANN. § 184.25 (REPEALED, JUNE 12, 2008)	Both	Third frontier commission to provide loans, loan guarantees, or grants to entities to promote development of bioproducts in state.
Alternative motor fuel retail sales (2007)	OHIO REV. CODE ANN. § 5733.48	Both	For 2008, provides a tax credit of \$.15/gal for all alternative fuel sold in 2007. For 2009, continues the \$.15/gal credit for alternative fuel sold through metered pumps, and \$.13/gal for alternative fuel sold in any manner.
Biodiesel fuel program (2007)	OHIO REV. CODE ANN. § 3327.17	Biodiesel	A program to provide grants to schools that use biodiesel fuel in their buses.
Excise, license, privilege, or occupational tax on alternative fuel prohibited (2006)	OHIO REV. CODE ANN. § 5735.40	Both	Prohibits any political subdivision from levying or collecting any excise, license, privilege, or occupational tax on alternative fuels, including the buying, selling, handling, or consuming of them.

Alternative fuel capability requirements for owned or lease vehicles (2006)	OHIO REV. CODE ANN. § 125.834	Both	Beginning July 1, 2006, all new vehicles acquired (purchased or leased) by the state or state agency must be capable of using alternative fuels.
Ethanol plant investment credit (2002)	OHIO REV. CODE ANN. § 5747.75	Ethanol	Provides an income tax credit for 50% of the investment in ethanol plant. Limited to \$5,000 per taxpayer per qualified plant. Expires in 2012.
Ethanol plant investment credit (2002)	OHIO REV. CODE ANN. § 5733.46	Ethanol	Provides a corporate franchise tax credit for 50% of the investment in ethanol plant. Limited to \$5,000 per taxpayer per certified plant. Expires in 2013.
Disclosure of ethanol content of gasoline not required (2002)	OHIO REV. CODE ANN. § 1345.021	Ethanol	Clarifies that retailers are not required to disclose if the gasoline they offer for sale contains ethanol. Not law, rule, resolution, or ordinance can require the disclosure of such information.
Ethanol incentive board (2002)	OHIO REV. CODE ANN. § 901.13	Ethanol	Creates a board to oversee the approval/denial of business plans of proposed ethanol facilities in the state.
Qualified fuel credit (2000)	OHIO REV. CODE ANN. § 5735.145	Ethanol	Provides a tax credit for each gallon of qualified ethanol used, sold, and distributed by a dealer. Dealers must file monthly sales reports to calculate the credit. Expires June 30, 1997.
Tampering with emission control system (1993)	OHIO REV. CODE ANN. § 3704.16	Both	Vehicle emission control systems may not be tampered with unless the action is for the purpose of converting a motor vehicle to operate on an alternative fuel and is in compliance with the standards adopted under the Clean Air Act.