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Biofuels Statutory Citations

State of Pennsylvania

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STATE OF PENNSYLVANIA

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 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
Alternative Fuels Tax (2013)	75 PA. STAT. § 9004	Both	Alternative fuels used to propel vehicles of any kind on public highways are subject to the state fuel tax on a gasoline gallon equivalent basis.
Department authority and responsibility (2012)	73 PA. STAT. § 1650.5	Both	Requires the Dep't of Conserv. & Nat. Res. to report on any effects of in-state cellulosic ethanol production from woody biomass. Also allows the state to suspend or modify the biofuel blend mandates if they become cost prohibitive or reach insufficient quantities.
Blending, registration, and other (2012)	73 PA. STAT. § 1650.4.1	Biodiesel	Puts forth the standards and requirements for production and handling of blended biodiesel fuel.
Cellulosic ethanol content in gasoline (2012)	73 PA. STAT. § 1650.4	Ethanol	All gasoline fuel sold or offered for sale to consumers must contain at least 10% cellulosic ethanol once in-state production reaches a rate of 350 million gallons/year and sustains that production level for at least three months.
Biodiesel content in diesel fuel sold for on-road use (2012)	73 PA. STAT. § 1650.3	Biodiesel	All diesel fuel sold or offered for sale to consumers for use in on-road compression ignition engines must contain a certain percentage of biodiesel (up to 20%), based on the volume of annual in-state production.

Infrastructure reports (2008)	73 PA. STAT. § 1650.6	Both	Before the biofuel blend mandates go into effect, the state must hold public hearings and publish a report to evaluate if there is adequate infrastructure to support the blend volumes.
Alternative Energy Production Tax Credit (2008)	73 PA. STAT. §§ 1649.701 TO 1649.711	Both	Provides a tax credit for a portion of the costs for the development and/or construction of an alternative energy production project. Sunsets Dec. 31, 2016.
Biomass-based diesel production incentives (2008)	73 PA. STAT. § 1647.3.1	Biodiesel	Provides a production incentive of 75¢ per gallon for biomass-based diesel produced and sold for commercial transportation or residential heating. Sunsets June 30, 2011.
Alternative Fuels Incentive Fund (2008)	73 PA. STAT. § 1647.3	Both	Provides grants for public and private entities for retrofitting vehicles, purchasing new alternative fuel vehicles, installing biofuel-compatible infrastructure, or biofuel research.
Environmental Quality Board (1992)	35 PA. STAT. § 4005	Both	Part of the EQ Board's responsibility is to adopt rules related to clean-fueled fleets and clean alternative fuels.