



States' Biofuels Statutes

STATE OF ALABAMA

This project was undertaken in partnership with the USDA Office of the Chief Economist, The Office of Energy Policy and New Uses. For information on the full project, visit [States' Biofuels Statutory Citations](#).

Current through the 2013 Legislative Session of the Alabama General Assembly.

§ 2-2-90. Legislative findings; Center for Alternative Fuels; definitions.

- (a) The Legislature finds that the interests of the citizens, businesses, and political subdivisions of this state are best served by promoting the development and encouraging the use of alternative fuels as a clean, abundant, reliable, and affordable source of energy.
- (b) (1) There is established within the Department of Agriculture and Industries, the Center for Alternative Fuels. The commissioner of the department shall appoint a director of the center. The department may employ staff necessary to carry out this article. To the extent possible, the staff shall represent the racial, ethnic, and gender makeup of the state.

(2) There is created in the State Treasury an Alabama Alternative Fuels and Research Development Fund which shall receive funds from the income tax check-off program established pursuant to Section 2-2-93.
- (c) (1) For purposes of this article, “**alternative fuel**” means motor vehicle fuel that is produced from any of the following:
 - a. Biofuel as defined in paragraph a. of subdivision (2).
 - b. Compressed natural gas.
 - c. Liquefied natural gas.
 - d. Liquefied petroleum gas.
 - e. Electricity.
- (2) a. The term “**biofuel**” as used above means motor vehicle fuel that meets all of the following requirements:

1. Is produced from grain, starch, oilseeds, vegetable, algae, animal, or fish materials including fats, greases and oils, sugarcane, sugar beets, sugar components, tobacco, potatoes, and lignocellulosic or other biomass.
 2. Is used to replace fossil fuel or reduce the quantity of fossil fuel present in a fuel mixture used to operate a motor vehicle.
 3. Meets the most current applicable American Society of Testing and materials (ASTM) Fuel Specification standard.
- b. Biofuel includes all of the following:
1. Cellulosic biomass biofuels such as ethanol, butanol, diesel, gasoline, and aviation fuel derived from any lignocellulosic, hemicellulosic or cellulosic matter that is available on a renewable or recurring basis, including dedicated energy crops and trees, wood and wood residues, plants, grasses, agricultural residues, and fibers.
 2. Waste derived biofuels from animal waste, municipal solid waste, and other waste materials.
 3. Biodiesel that is a diesel fuel substitute derived from non-petroleum renewable resourced and any blending components derived from non-petroleum renewable resources, provided that only the renewable fuel portion of any such blending component shall be considered part of the applicable volume.
- (d) All alternative fuels sold in Alabama shall meet the appropriate ASTM standard for that particular fuel.

§ 2-2-91. Duties of the center

The responsibilities of the center shall be as follows:

- (1) To assess the current status and development of sources of alternative fuels as defined in subsection (c) of Section 2-2-90.
- (2) To act as an information center for alternative fuels.
- (3) To create an information clearinghouse for available federal grant funds and to provide information regarding these grants to individuals, businesses, and political subdivisions interested in developing sources of alternative fuels.
- (4) To establish criteria for matching potential grant applicants with available grants.
- (5) To promote alternative fuels as a viable energy source in this state.
- (6) To ensure that alternative fuels sold in Alabama meet ASTM standards.

- (7) To receive and expend funds paid to the Alternative Fuels Research and Development Fund through the income tax check-off program created in Section 2-2-93 and to expend and disburse the funds for the purposes in Section 2-2-93.

§ 2-2-92. Promulgation of rules.

The department may promulgate rules necessary for the efficient operation of the center.

§ 2-2-93. Contributions to the Alternative Fuel Research and Development Fund.

Pursuant to subsection (a) of Section 40-18-140, each individual taxpayer required to file a state return desiring to contribute to the Alternative Fuel Research and Development Fund, may designate, by placing an “X” in the appropriate box on the state income tax form, that the contribution be made to the fund. Contributions to the fund shall be used by the center to promote, develop, and raise awareness about alternative fuels.