



States' Biofuels Statutes

STATE OF FLORIDA

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](#). 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.

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

206.86. Definitions

As used in this part:

- (1) “Diesel fuel” means all petroleum distillates commonly known as diesel #2, biodiesel, or any other product blended with diesel or any product placed into the storage supply tank of a diesel-powered motor vehicle.
- (2) “Taxable diesel fuel” or “fuel” means any diesel fuel not held in bulk storage at a terminal which has not been dyed for exempt use in accordance with Internal Revenue Code requirements.
- (3) “User” includes any person who uses diesel fuels within this state for the propulsion of a motor vehicle on the public highways of this state, even though the motor is also used for a purpose other than the propulsion of the vehicle.
- (4) “Removal” means any physical transfer of diesel fuel and any use of diesel fuel other than as a material in the production of diesel fuel.
- (5) “Blender” means any person who produces blended diesel fuel outside the bulk transfer/terminal system.
- (6) “Colorless marker” means material that is not perceptible to the senses until the diesel fuel into which it is introduced is subjected to a scientific test.
- (7) “Dyed diesel fuel” means diesel fuel that is dyed in accordance with United States Environmental Protection Agency or Internal Revenue Service requirements for high sulfur diesel fuel or low sulfur diesel fuel.
- (8) “Ultimate vendor” means a licensee that sells undyed diesel fuel to the United States or its

departments or agencies in bulk lots of not less than 500 gallons in each delivery or to the user of the diesel fuel for use on a farm for farming purposes.

(9) “Local government user of diesel fuel” means any county, municipality, or school district licensed by the department to use untaxed diesel fuel in motor vehicles.

(10) “Mass transit system” means any licensed local transportation company providing local bus service that is open to the public and that travels regular routes.

(11) “Diesel fuel registrant” means anyone required by this chapter to be licensed to remit diesel fuel taxes, including, but not limited to, terminal suppliers, importers, local government users of diesel fuel, and mass transit systems.

(12) “Biodiesel” means any product made from nonpetroleum-based oils or fats which is suitable for use in diesel-powered engines. Biodiesel is also referred to as alkyl esters.

(13) “Biodiesel manufacturer” means those industrial plants, regardless of capacity, where organic products are used in the production of biodiesel. This includes businesses that process or blend organic products that are marketed as biodiesel.

Credits: Laws 1931, Ex.Sess., c. 15659, § 11; Laws 1939, c. 19446, § 1; Comp.Gen.Laws Supp.1940, § 1167(103); Laws 1951, c. 26718, § 2; Laws 1963, c. 63-253, § 7; Laws 1965, c. 65-420, § 2; Laws 1965, c. 65-371, § 5; Laws 1969, c. 69-106, §§ 21, 35; Fla.St.1969, §§ 208.17, 209.01; Laws 1970, Ex.Sess., c. 70-995, § 1; Laws 1975, c. 75-286, § 4; Laws 1984, c. 84-369, § 2; Laws 1987, c. 87-99, § 62. Amended by Laws 1991, c. 91-112, § 20, eff. July 1, 1991; Laws 1995, c. 95-147, § 1083, eff. July 10, 1995; Laws 1995, c. 95-417, § 70, eff. July 1, 1996; Laws 1996, c. 96-323, § 14, eff. July 1, 1996; Laws 2003, c. 2003-254, § 16, eff. July 1, 2003; Laws 2013, c. 2013-198, § 1, eff. Jan. 1, 2014.