



States' Biofuels Statutes

STATE OF INDIANA

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 Indiana General Assembly.

8-14-2-8 E85 incentive payments to political subdivisions

Sec. 8. (a) This section applies to a political subdivision's purchase of E85 occurring after December 31, 2007.

(b) As used in this section, "administrator" has the meaning set forth in IC 6-6-1.1-103(a).

(c) As used in this section, "E85" has the meaning set forth in IC 6-6-1.1-103(s).

(d) As used in this section, "qualified motor vehicle" means a motor vehicle that may be fueled by E85.

(e) A political subdivision is entitled to a monthly E85 incentive payment under this section if at least seventy-five percent (75%) of the motor fuel purchased by the political subdivision in the preceding calendar month for use in the political subdivision's qualified motor vehicles was E85.

(f) Subject to subsection (j), the amount of a monthly E85 incentive payment to which a political subdivision is entitled under this section is equal to:

- (1) the total number of qualified motor vehicles owned by the political subdivision; multiplied by
- (2) thirty-three dollars and thirty-three cents (\$33.33).

(g) To claim an E85 incentive payment under this section, the fiscal officer of a political subdivision must present to the auditor of state a statement that:

- (1) contains a written verification that the incentive payment claim is made under penalties of perjury; and
- (2) sets forth:

(A) the total number of qualified motor vehicles owned by the political subdivision;

(B) the total amount of E85 purchased by the political subdivision in the preceding calendar month for use in each qualified motor vehicle described in clause (A); and

(C) the total amount of motor fuel purchased for use in each qualified motor vehicle described in clause (A).

(h) The auditor of state may request the administrator to make investigations the auditor of state considers necessary before issuing an E85 incentive payment under this section. The administrator shall provide any assistance requested under this section. Upon the request of the administrator, a political subdivision shall furnish to the administrator sufficient documentation to prove the validity of the information presented under subsection (g).

(i) If an E85 incentive payment is not issued within ninety (90) days after filing of the verified statement and all supplemental information required by subsection (h), the auditor of state shall pay interest at the rate established by IC 6-8.1-9 computed from the date of filing of the verified statement and all supplemental information required under this section until a date determined by the auditor of state that does not precede by more than thirty (30) days the date on which the E85 incentive payment is made.

(j) A political subdivision is not entitled to an E85 incentive payment for E85 used in a qualified motor vehicle owned by the political subdivision after December 31 of the fifth calendar year of the political subdivision's ownership of the qualified motor vehicle.

(k) A political subdivision may not claim an E85 incentive payment for any purchase of E85 occurring after December 31, 2014.

(l) This section expires January 1, 2019.

Credits: As added by P.L.182-2007, SEC.3, eff. Jan. 1, 2008. Amended by P.L.220-2011, SEC.199.