



Rep. William J. Grunloh

Filed: 3/31/2004

09300HB5831ham001

LRB093 16831 BDD 49402 a

1 AMENDMENT TO HOUSE BILL 5831

2 AMENDMENT NO. _____. Amend House Bill 5831 by replacing
3 the title with the following:

4 "AN ACT concerning alternate fuels."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 5. The Alternate Fuels Act is amended by changing
8 Sections 10, 30, and 31 as follows:

9 (415 ILCS 120/10)

10 Sec. 10. Definitions. As used in this Act:

11 "Agency" means the Environmental Protection Agency.

12 "Alternate fuel" means liquid petroleum gas, natural gas,
13 E85 blend fuel, fuel composed of a minimum 80% ethanol, 80%
14 bio-based methanol, fuels that are at least 80% ~~70%~~ derived
15 from biomass, hydrogen fuel, or electricity, excluding
16 on-board electric generation.

17 "Alternate fuel vehicle" means any vehicle that is operated
18 in Illinois and is capable of using an alternate fuel.

19 "Biodiesel fuel" means a renewable fuel conforming to the
20 industry standard ASTM-D6751 and registered with the U.S.
21 Environmental Protection Agency.

22 "Conventional", when used to modify the word "vehicle",
23 "engine", or "fuel", means gasoline or diesel or any

1 reformulations of those fuels.

2 "Covered Area" means the counties of Cook, DuPage, Kane,
3 Lake, McHenry, and Will and those portions of Grundy County and
4 Kendall County that are included in the following ZIP code
5 areas, as designated by the U.S. Postal Service on the
6 effective date of this amendatory Act of 1998: 60416, 60444,
7 60447, 60450, 60481, 60538, and 60543.

8 "Director" means the Director of the Environmental
9 Protection Agency.

10 "Domestic renewable fuel" means a fuel, produced in the
11 United States, composed of a minimum 80% ethanol, 80% bio-based
12 methanol, or 20% biodiesel fuel ~~and fuels derived from~~
13 ~~bio-mass.~~

14 "E85 blend fuel" means fuel that contains 85% ethanol and
15 15% gasoline.

16 "GVWR" means Gross Vehicle Weight Rating.

17 "Location" means (i) a parcel of real property or (ii)
18 multiple, contiguous parcels of real property that are
19 separated by private roadways, public roadways, or private or
20 public rights-of-way and are owned, operated, leased, or under
21 common control of one party.

22 "Original equipment manufacturer" or "OEM" means a
23 manufacturer of alternate fuel vehicles or a manufacturer or
24 remanufacturer of alternate fuel engines used in vehicles
25 greater than 8500 pounds GVWR.

26 "Rental vehicle" means any motor vehicle that is owned or
27 controlled primarily for the purpose of short-term leasing or
28 rental pursuant to a contract.

29 (Source: P.A. 91-357, eff. 7-29-99; 92-858, eff. 1-3-03.)

30 (415 ILCS 120/30)

31 Sec. 30. Rebate program. Beginning January 1, 1997, and as
32 long as funds are available, each owner of an alternate fuel
33 vehicle shall be eligible to apply for a rebate. Beginning July

1 1, 2004, each owner of a vehicle using domestic renewable fuel
2 is eligible to apply for a fuel cost differential rebate under
3 subsection (c) of this Section. The Agency shall cause rebates
4 to be issued under the provisions of this Act. An owner may
5 apply for only one of 3 types of rebates with regard to an
6 individual alternate fuel vehicle: (i) a conversion cost
7 rebate, (ii) an OEM differential cost rebate, or (iii) a fuel
8 cost differential rebate. Only one rebate may be issued with
9 regard to a particular alternate fuel vehicle during the life
10 of that vehicle. A rebate shall not exceed \$4,000 per vehicle.
11 Over the life of this rebate program, an owner of an alternate
12 fuel vehicle or a vehicle using domestic renewable fuel may not
13 receive rebates for more than 150 vehicles per location or for
14 300 vehicles in total.

15 (a) A conversion cost rebate may be issued to an owner or
16 his or her designee in order to reduce the cost of converting
17 of a conventional vehicle to an alternate fuel vehicle.
18 Conversion of a conventional vehicle to alternate fuel
19 capability must take place in Illinois for the owner to be
20 eligible for the conversion cost rebate. Amounts spent by
21 applicants within a calendar year may be claimed on a rebate
22 application submitted during that calendar year. Approved
23 conversion cost rebates applied for during or after calendar
24 year 1997 shall be 80% of all approved conversion costs claimed
25 and documented. Approval of conversion cost rebates may
26 continue after calendar year 2002, if funds are still
27 available. An applicant may include on an application submitted
28 in 1997 all amounts spent within that calendar year on the
29 conversion, even if the expenditure occurred before
30 promulgation of the Agency rules.

31 (b) An OEM differential cost rebate may be issued to an
32 owner or his or her designee in order to reduce the cost
33 differential between a conventional vehicle or engine and the
34 same vehicle or engine, produced by an original equipment

1 manufacturer, that has the capability to use alternate fuels.

2 A new OEM vehicle or engine must be purchased in Illinois
3 and must either be an alternate fuel vehicle or used in an
4 alternate fuel vehicle, respectively, for the owner to be
5 eligible for an OEM differential cost rebate. Amounts spent by
6 applicants within a calendar year may be claimed on a rebate
7 application submitted during that calendar year.

8 Approved OEM differential cost rebates applied for during
9 or after calendar year 1997 shall be 80% of all approved cost
10 differential claimed and documented. Approval of OEM
11 differential cost rebates may continue after calendar year
12 2002, if funds are still available. An applicant may include on
13 an application submitted in 1997 all amounts spent within that
14 calendar year on OEM equipment, even if the expenditure
15 occurred before promulgation of the Agency rules.

16 (c) A fuel cost differential rebate may be issued to an
17 owner or his or her designee in order to reduce the cost
18 differential between conventional fuels and domestic renewable
19 fuels or alternate fuels purchased to operate an alternate fuel
20 vehicle ~~that runs on domestic renewable fuel~~. The fuel cost
21 differential shall be based on a 3-year life cycle cost
22 analysis developed by the Agency by rulemaking. The rebate
23 shall apply to and be payable during a consecutive 3-year
24 period commencing on the date the application is approved by
25 the Agency. Approved fuel cost differential rebates may be
26 applied for during or after calendar year 1997 and approved
27 rebates shall be 80% of the cost differential for a consecutive
28 3-year period. Approval of fuel cost differential rebates may
29 continue after calendar year 2002 if funds are still available.

30 Twenty-five percent of the amount that is appropriated
31 under Section 40 to be used to fund programs authorized by this
32 Section during calendar year 2001 shall be designated to fund
33 fuel cost differential rebates. If the total dollar amount of
34 approved fuel cost differential rebate applications as of July

1 1, 2001 is less than the amount designated for that calendar
2 year, the balance of designated funds shall be immediately
3 available to fund any rebate authorized by this Section and
4 approved in the calendar year.

5 An approved fuel cost differential rebate shall be paid to
6 an owner in 3 annual installments on or about the anniversary
7 date of the approval of the application. Owners receiving a
8 fuel cost differential rebate shall be required to demonstrate,
9 through recordkeeping, the use of domestic renewable fuels
10 during the 3-year period commencing on the date the application
11 is approved by the Agency. If the ~~alternate-fuel~~ vehicle ceases
12 to be registered to the original applicant owner, a prorated
13 installment shall be paid to that owner or the owner's designee
14 and the remainder of the rebate shall be canceled.

15 (d) Vehicles owned by the federal government or vehicles
16 registered in a state outside Illinois are not eligible for
17 rebates.

18 (Source: P.A. 92-858, eff. 1-3-03.)

19 (415 ILCS 120/31)

20 Sec. 31. Alternate Fuel Infrastructure Program. Subject to
21 appropriation, the Department of Commerce and Community
22 Affairs (now Department of Commerce and Economic Opportunity)
23 shall establish a grant program to provide funding for the
24 building of E85 blend, propane, at least 20% biodiesel blended
25 fuel, and compressed natural gas (CNG) fueling facilities,
26 including private on-site fueling facilities, to be built
27 within the covered area or in Illinois metropolitan areas over
28 100,000 in population. The Department of Commerce and Economic
29 Opportunity ~~Community Affairs~~ shall be responsible for
30 reviewing the proposals and awarding the grants.

31 (Source: P.A. 92-858, eff. 1-3-03; revised 12-6-03.)

32 Section 99. Effective date. This Act takes effect upon

1 becoming law.".