

SENATE BILL NO. 449

INTRODUCED BY K. GILLAN

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING FUEL EFFICIENCY STANDARDS FOR CERTAIN
5 STATE-OWNED VEHICLES; REQUIRING A PLAN FOR FUEL AND TRAVEL REDUCTION BY STATE
6 AGENCIES; AND PROVIDING AN EFFECTIVE DATE."

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8 WHEREAS, state agencies in Montana should lead by example in adopting, implementing, and promoting
9 energy efficiency; and

10 WHEREAS, the State of Montana is a significant economic actor and substantial consumer of
11 transportation fuels; and

12 WHEREAS, the increased use of high fuel efficiency vehicles will provide a direct benefit to the citizens
13 of Montana through reducing pollution from Montana's beautiful landscape and reducing the nation's dependence
14 on foreign fuel sources.

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16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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18 NEW SECTION. Section 1. Definitions. As used in [sections 1 through 4], the following definitions
19 apply:

20 (1) "Agency" has the meaning provided in 2-15-102, BUT DOES NOT INCLUDE THE OFFICE OF THE GOVERNOR,
21 THE ATTORNEY GENERAL, OR THE HIGHWAY PATROL.

22 (2) "CAFE standard" means the average fuel economy standard as provided in 49 U.S.C. 32904.

23 (3) "Department" means the department of ~~transportation~~ ADMINISTRATION provided for in ~~2-15-2501~~
24 2-15-1001.

25 (4) "Director" means the director of the department.

26 (5) "Vehicle fleet" means ~~the state motor pool, as provided for in 2-17-411, or the total number of vehicles~~
27 transferred to agencies pursuant to 2-17-412 ALL STATE VEHICLES THAT ARE OWNED BY THE STATE OF MONTANA
28 EXCEPT THOSE USED IN THE SERVICE OF THE GOVERNOR, THE ATTORNEY GENERAL, OR THE HIGHWAY PATROL.

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30 NEW SECTION. Section 2. Fuel economy standards -- exceptions. (1) The department shall, in



1 coordination with ~~the department of administration~~ and a designated representative in each agency THAT
 2 PURCHASES NEW VEHICLES, develop a plan to ensure that each agency's vehicle fleet meets or exceeds the
 3 following average percentage ratio to the CAFE standard: VEHICLE PURCHASED ON OR AFTER JANUARY 1, 2008,
 4 MEETS OR EXCEEDS THE CAFE STANDARD.

5 ~~—— (a) by January 1, 2009, 105% of the CAFE standard;~~

6 ~~—— (b) by January 1, 2010, 110% of the CAFE standard;~~

7 ~~—— (c) by January 1, 2011, 115% of the CAFE standard; and~~

8 ~~—— (d) by January 1, 2012, 120% of the CAFE standard.~~

9 (2) The director may ~~adjust the standards provided in subsection (1) for vehicles~~ EXEMPT CERTAIN
 10 VEHICLES FROM THE CAFE STANDARD that meet any one of the following conditions:

11 (a) vehicles that are used primarily in off-road use;

12 (b) vehicles used for road construction and maintenance;

13 (c) vehicles used for maintenance, construction, or groundskeeping;

14 (d) vehicles used primarily for moving and distributing large items or a large quantity of items; or

15 (e) vehicles with a manufacturer-stated seating capacity of more than six persons; OR

16 (F) VEHICLES USING ALTERNATIVE FUELS.

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 18 NEW SECTION. Section 3. Vehicle fleet energy conservation plan. (1) Before January 1, 2008, each
 19 agency shall develop and implement a program to reduce the fuel consumption of any agency vehicle, OTHER
 20 THAN THOSE VEHICLES LISTED IN [SECTION 2(2)], including:

21 (a) fuel consumption, miles traveled, and ~~average~~ vehicle fleet fuel economy ~~to determine compliance~~
 22 ~~with [section 2];~~

23 (b) car pooling and van pooling requirements for state employees when feasible; and

24 (c) options for cost-effective use of technologies that allow for a reduction in the number of car and van
 25 trips.

26 (2) Each agency shall include materials relating to travel conservation measures in new employee
 27 orientation and training materials.

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 29 NEW SECTION. Section 4. Agency report RECORDS on fuel efficiency measures. (1) Each agency
 30 shall keep adequate records to demonstrate compliance with the provisions of [sections ~~1 through 4 2 AND 3~~] and

1 shall make a formal report to the department of administration on or before July 1 of each year.
2 ~~———(2) The department of administration shall compile the reports required in subsection (1) into a~~
3 ~~comprehensive report to be delivered to the legislature on or before September 1 of each year preceding the~~
4 ~~convening of a regular session of a legislature, as provided in 5-11-210.~~

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6 **NEW SECTION. Section 5. Codification instruction.** [Sections 1 through 4] are intended to be codified
7 as an integral part of Title 2, chapter 17, part 4, and the provisions of Title 2, chapter 17, part 4, apply to [sections
8 1 through 4].

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10 **NEW SECTION. Section 6. Effective date.** [This act] is effective July 1, 2007.

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