

SEC. 7. BIODIESEL FUEL USE CREDITS.

(a) A MENDMENT.—Title III of the Energy Policy Act of 1992 (42 U.S.C. 13211–13219) is amended by adding at the end the following new section:

42 USC 13220.

“SEC. 312. BIODIESEL FUEL USE CREDITS.

“(a) ALLOCATION OF CREDITS.—

“(1) I N GENERAL.—The Secretary shall allocate one credit under this section to a fleet or covered person for each qualifying volume of the biodiesel component of fuel containing at least 20 percent biodiesel by volume purchased after the date of the enactment of this section for use by the fleet or covered person in vehicles owned or operated by the fleet or covered person that weigh more than 8,500 pounds gross vehicle weight rating.

“(2) E XCEPTIONS.—No credits shall be allocated under paragraph (1) for a purchase of biodiesel—

“(A) for use in alternative fueled vehicles; or

“(B) that is required by Federal or State law.

“(3) A UTHORITY TO MODIFY PERCENTAGE.—The Secretary may, by rule, lower the 20 percent biodiesel volume requirement in paragraph (1) for reasons related to cold start, safety, or vehicle function considerations.

“(4) D OCUMENTATION.—A fleet or covered person seeking a credit under this section shall provide written documentation to the Secretary supporting the allocation of a credit to such fleet or covered person under paragraph (1).

“(b) USE OF CREDITS.—

“(1) I N GENERAL.—At the request of a fleet or covered person allocated a credit under subsection (a), the Secretary shall, for the year in which the purchase of a qualifying volume is made, treat that purchase as the acquisition of one alternative fueled vehicle the fleet or covered person is required to acquire under this title, title IV, or title V.

“(2) L IMITATION.—Credits allocated under subsection (a) may not be used to satisfy more than 50 percent of the alternative fueled vehicle requirements of a fleet or covered person under this title, title IV, and title V. This paragraph shall not apply to a fleet or covered person that is a biodiesel alternative fuel provider described in section 501(a)(2)(A).

“(c) C REDIT NOT A SECTION 508 C REDIT.—A credit under this section shall not be considered a credit under section 508.

“(d) I SSUANCE OF RULE.—The Secretary shall, before January 1, 1999, issue a rule establishing procedures for the implementation of this section.

“(e) C OLLECTION OF DATA.—The Secretary shall collect such data as are required to make a determination described in subsection (f)(2)(B).

“(f) D EFINITIONS.—For purposes of this section—

“(1) the term ‘biodiesel’ means a diesel fuel substitute produced from nonpetroleum renewable resources that meets the registration requirements for fuels and fuel additives established by the Environmental Protection Agency under section 211 of the Clean Air Act; and

“(2) the term ‘qualifying volume’ means—

“(A) 450 gallons; or

“(B) if the Secretary determines by rule that the average annual alternative fuel use in light duty vehicles by fleets and covered persons exceeds 450 gallons or gallon equivalents, the amount of such average annual alternative fuel use.”.

(b) **T A B L E O F C O N T E N T S A M E N D M E N T.**—The table of contents of the Energy Policy Act of 1992 is amended by adding at the end of the items relating to title III the following new item:

106 Stat. 2776.

“Sec. 312. Biodiesel fuel use credits.”.

SEC. 8. REPORT CONCERNING COMPLIANCE WITH ALTERNATIVE FUEL VEHICLE PURCHASING REQUIREMENTS.

(a) **I N G E N E R A L.**—Section 310 of the Energy Policy Act of 1992 (42 U.S.C. 13218) is amended—

(1) by striking the heading and inserting the following:

“SEC. 310. REPORTS.”;

(2) by inserting “(a) **G E N E R A L S E R V I C E A D M I N I S T R A T I O N P R O G R A M R E P O R T.**—” before “Not later than”; and

(3) by adding at the end the following:

“(b) **C O M P L I A N C E R E P O R T.**—

“(1) **I N G E N E R A L.**—Not later than 1 year after the date of enactment of this subsection, and annually thereafter for the next 14 years, the head of each Federal agency which is subject to this Act and Executive Order No. 13031 shall prepare, and submit to Congress, a report that—

Deadline.

“(A) summarizes the compliance by such Federal agency with the alternative fuel purchasing requirements for Federal fleets under this Act and Executive Order No. 13031; and

“(B) includes a plan of compliance that contains specific dates for achieving compliance using reasonable means.

“(2) **C O N T E N T S.**—

“(A) **I N G E N E R A L.**—Each report submitted under paragraph (1) shall include—

“(i) any information on any failure to meet statutory requirements or requirements under Executive Order No. 13031;

“(ii) (I) any plan of compliance that the agency head is required to submit under Executive Order No. 13031; or

“(II) if a plan of compliance referred to in subclause (I) does not contain specific dates by which the Federal agency is to achieve compliance, a revised plan of compliance that contains specific dates for achieving compliance; and

“(iii) any related information the agency head is required to submit to the Director of the Office of Management and Budget under Executive Order No. 13031.

“(B) **P E N U L T I M A T E R E P O R T.**—The penultimate report submitted under paragraph (1) shall include an announcement that the report for the next year shall be the final report submitted under paragraph (1).

“(3) **P U B L I C D I S S E M I N A T I O N O F R E P O R T.**—Each report submitted under paragraph (1) shall be made public, including—