

Subsec. (b)(3) to (5). Pub. L. 102-486, §302(a)(4), added pars. (3) to (5).

Subsec. (c). Pub. L. 102-486, §302(a)(5), in introductory provisions substituted "alternative fuels, such fuels" for "alcohol or natural gas, alcohol or natural gas" and in par. (1) substituted "alternative fuel" for "alcohol or natural gas".

Subsec. (d)(2)(B). Pub. L. 102-486, §302(a)(6), substituted "To the extent that appropriations are available for such purposes, the Secretary" for "The Secretary".

Subsec. (g)(2) to (6). Pub. L. 102-486, §302(a)(7), added pars. (2) to (6) and struck out former pars. (2) to (6) which read as follows:

"(2) the term 'alcohol' means a mixture containing 85 percent or more by volume methanol, ethanol, or other alcohols, in any combination;

"(3) the term 'alcohol powered vehicle' means a vehicle designed to operate exclusively on alcohol;

"(4) the term 'dual energy vehicle' means a vehicle which is capable of operating on alcohol and on gasoline or diesel fuel;

"(5) the term 'natural gas dual energy vehicle' means a vehicle which is capable of operating on natural gas and on gasoline or diesel fuel; and

"(6) the term 'natural gas powered vehicle' means a vehicle designed to operate exclusively on natural gas."

Subsec. (i)(1). Pub. L. 102-486, §302(a)(8), amended par. (1) generally. Prior to amendment, par. (1) read as follows: "For the purposes of this section, there are authorized to be appropriated for the fiscal year ending September 30, 1990, \$5,000,000, for the fiscal year ending September 30, 1991, \$3,000,000, for the fiscal year ending September 30, 1992, \$2,000,000, and for the fiscal year ending September 30, 1993, \$2,000,000."

#### CHANGE OF NAME

Committee on Governmental Affairs of Senate changed to Committee on Homeland Security and Governmental Affairs of Senate, effective Jan. 4, 2005, by Senate Resolution No. 445, One Hundred Eighth Congress, Oct. 9, 2004.

Committee on Energy and Commerce of House of Representatives treated as referring to Committee on Commerce of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress. Committee on Commerce of House of Representatives changed to Committee on Energy and Commerce of House of Representatives, and jurisdiction over matters relating to securities and exchanges and insurance generally transferred to Committee on Financial Services of House of Representatives by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001.

#### TERMINATION DATE

Pub. L. 100-494, §4(b), Oct. 14, 1988, 102 Stat. 2448, which provided that this section and the amendments made by this section (enacting this part) were to cease to be effective after Sept. 30, 1997, was repealed by Pub. L. 102-486, title III, §302(b), Oct. 24, 1992, 106 Stat. 2871.

#### FINDINGS

Pub. L. 100-494, §2, Oct. 14, 1988, 102 Stat. 2441, provided that: "The Congress finds and declares that—

"(1) the achievement of long-term energy security for the United States is essential to the health of the national economy, the well-being of our citizens, and the maintenance of national security;

"(2) the displacement of energy derived from imported oil with alternative fuels will help to achieve energy security and improve air quality;

"(3) transportation uses account for more than 60 percent of the oil consumption of the Nation;

"(4) the Nation's security, economic, and environmental interests require that the Federal Government should assist clean-burning, nonpetroleum transportation fuels to reach a threshold level of

commercial application and consumer acceptability at which they can successfully compete with petroleum-based fuels;

"(5) methanol, ethanol, and natural gas are proven transportation fuels that burn more cleanly and efficiently than gasoline and diesel fuel;

"(6) the production and use as transportation fuels of ethanol, methanol made from natural gas or biomass, and compressed natural gas have been estimated in some studies to release less carbon dioxide than comparable quantities of petroleum-based fuel;

"(7) the amount of carbon dioxide released with methanol from a coal-to-methanol industry using currently available technologies has been estimated in some studies to be significantly greater than the amount released with a comparable quantity of petroleum-based fuel;

"(8) there exists evidence that manmade pollution—the release of carbon dioxide, chlorofluorocarbons, methane, and other trace gases into the atmosphere—may be producing a long term and substantial increase in the average temperature on Earth, a phenomenon known as global warming through the greenhouse effect; and

"(9) ongoing pollution and deforestation may be contributing now to an irreversible process producing unacceptable global climate changes; necessary actions must be identified and implemented in time to protect the climate, including the development of technologies to control increased carbon dioxide emissions that result with methanol from a coal-to-methanol industry."

#### PURPOSE

Pub. L. 100-494, §3, Oct. 14, 1988, 102 Stat. 2442, provided that: "The purpose of this Act [see Short Title of 1988 Amendment note set out under section 6201 of this title] is to encourage—

"(1) the development and widespread use of methanol, ethanol, and natural gas as transportation fuels by consumers; and

"(2) the production of methanol, ethanol, and natural gas powered motor vehicles."

#### USE OF NONSTANDARD FUELS

Pub. L. 100-494, §5, Oct. 14, 1988, 102 Stat. 2448, provided that: "No guaranty or warranty with respect to any passenger automobile or light-duty truck acquired by the United States after October 1, 1989, shall be voided or reduced in effect by reason of the operation of such vehicle with any fuel for which a currently effective waiver, which includes a limitation regarding Reid vapor pressure with respect to such fuel, has been issued by the Administrator of the Environmental Protection Agency under section 211(f) of the Clean Air Act (42 U.S.C. 7545(f))."

### § 6374a. Alternative fuels truck commercial application program

#### (a) Establishment

The Secretary, in cooperation with manufacturers of heavy duty engines and with other Federal agencies, shall establish a commercial application program to study the use of alternative fuels in heavy duty trucks and, if appropriate, other heavy duty applications.

#### (b) Funding

(1) There are authorized to be appropriated to the Secretary for carrying out this section such sums as may be necessary for fiscal years 1993 through 1995, to remain available until expended.

(2) The authority of the Secretary to obligate amounts to be expended under this section shall be effective for any fiscal year only to such ex-

tent or in such amounts as are provided in advance by appropriation Acts.

(Pub. L. 94-163, title III, § 400BB, as added Pub. L. 100-494, § 4(a), Oct. 14, 1988, 102 Stat. 2444; amended Pub. L. 102-486, title IV, § 401, Oct. 24, 1992, 106 Stat. 2875.)

#### AMENDMENTS

1992—Subsec. (a). Pub. L. 102-486, § 401(a), substituted “alternative fuels” for “alcohol and natural gas”.

Subsec. (b)(1). Pub. L. 102-486, § 401(b), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “There are authorized to be appropriated for the period encompassing the fiscal years ending September 30, 1990, September 30, 1991, and September 30, 1992, a total of \$2,000,000 for alcohol powered vehicles and dual energy vehicles, and a total of \$2,000,000 for natural gas powered vehicles and natural gas dual energy vehicles, to carry out the purposes of this section.”

### § 6374b. Alternative fuels bus program

#### (a) Testing

The Secretary, in cooperation with the Administrator of the Environmental Protection Agency and the Administrator of the National Highway Traffic Safety Administration, shall, beginning in the fiscal year ending September 30, 1990, assist State and local government agencies in the testing in urban settings of buses capable of operating on alternative fuels for the emissions levels, durability, safety, and fuel economy of such buses, comparing the different types with each other and with diesel powered buses, as such buses will be required to operate under Federal safety and environmental standards applicable to such buses for the model year 1991. To the extent practicable, testing assisted under this section shall apply to each of the various types of alternative fuel buses.

#### (b) Funding

There are authorized to be appropriated for the period encompassing the fiscal years ending September 30, 1990, September 30, 1991, and September 30, 1992, a total of \$2,000,000 to carry out the purposes of this section.

#### (c) “Bus” defined

For purposes of this section, the term “bus” means a vehicle which is designed to transport 30 individuals or more.

(Pub. L. 94-163, title III, § 400CC, as added Pub. L. 100-494, § 4(a), Oct. 14, 1988, 102 Stat. 2445; amended Pub. L. 102-486, title IV, § 402(1), Oct. 24, 1992, 106 Stat. 2875.)

#### AMENDMENTS

1992—Subsec. (a). Pub. L. 102-486 substituted “alternative fuels” for “alcohol and buses capable of operating on natural gas” and “each of the various types of alternative fuel buses” for “both buses capable of operating on alcohol and buses capable of operating on natural gas”.

### § 6374c. Omitted

#### CODIFICATION

Section, Pub. L. 94-163, title III, § 400DD, as added Pub. L. 100-494, § 4(a), Oct. 14, 1988, 102 Stat. 2445; amended Pub. L. 102-486, title IV, § 402(2), (3), Oct. 24, 1992, 106 Stat. 2876, provided for establishment of the Interagency Commission on Alternative Motor Fuels and the United States Alternative Fuels Council, re-

quired the Commission to submit interim reports and a final report by Sept. 30, 1992, to Congress, and terminated the Commission and Council upon submission of the final report.

### § 6374d. Studies and reports

#### (a) Methanol study

(1) The Secretary shall study methanol plants, including the costs and practicability of such plants, that are—

(A) capable of utilizing current domestic supplies of unutilized natural gas;

(B) relocatable; or

(C) suitable for natural gas to methanol conversion by natural gas distribution companies.

(2) For purposes of this subsection, the term “unutilized natural gas” means gas that is available in small remote fields and cannot be economically transported to natural gas pipelines, or gas the quality of which is so poor that extensive and uneconomic pretreatment is required prior to its introduction into the natural gas distribution system.

(3) The Secretary shall submit a report under this subsection to the Committees on Commerce, Science, and Transportation and Governmental Affairs of the Senate, and the Committee on Energy and Commerce of the House of Representatives, no later than September 30, 1990.

#### (b) Omitted

#### (c) Public participation

Adequate opportunity shall be provided for public comment on the reports required by this section before they are submitted to the Congress, and a summary of such comments shall be attached to such reports.

(Pub. L. 94-163, title III, § 400EE, as added Pub. L. 100-494, § 4(a), Oct. 14, 1988, 102 Stat. 2447.)

#### REFERENCES IN TEXT

This part, referred to in subsec. (b)(1)(A), was in the original “the Alternative Motor Fuels Act of 1988”, Pub. L. 100-494, Oct. 14, 1988, 102 Stat. 2441, which is classified principally to this part. For complete classification of this Act to the Code, see Short Title of 1988 Amendment note set out under section 6201 of this title and Tables.

#### CODIFICATION

Subsec. (b) of this section, which required the Administrator of the Environmental Protection Agency to submit biennially to Congress a report which includes a comprehensive analysis of the environmental impacts associated with the production and use of alternative motor vehicle fuels under this part and an extended forecast of the environmental effects of such production and use, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, the 25th item on page 163 of House Document No. 103-7.

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