

(i) that no low greenhouse gas emitting vehicle is available to meet the functional needs of the agency and details in writing the functional needs that could not be met with a low greenhouse gas emitting vehicle; or

(ii) that the agency has taken specific alternative more cost-effective measures to reduce petroleum consumption that—

(I) have reduced a measured and verified quantity of greenhouse gas emissions equal to or greater than the quantity of greenhouse gas reductions that would have been achieved through acquisition of a low greenhouse gas emitting vehicle over the lifetime of the vehicle; or

(II) will reduce each year a measured and verified quantity of greenhouse gas emissions equal to or greater than the quantity of greenhouse gas reductions that would have been achieved each year through acquisition of a low greenhouse gas emitting vehicle.

**(C) Special rule for vehicles provided by funds contained in Members' Representational Allowance**

This paragraph shall apply to the acquisition of a light duty motor vehicle or medium duty passenger vehicle using any portion of a Member's Representational Allowance, including an acquisition under a long-term lease.

**(3) Guidance**

**(A) In general**

Each year, the Administrator of the Environmental Protection Agency shall issue guidance identifying the makes and model numbers of vehicles that are low greenhouse gas emitting vehicles.

**(B) Consideration**

In identifying vehicles under subparagraph (A), the Administrator shall take into account the most stringent standards for vehicle greenhouse gas emissions applicable to and enforceable against motor vehicle manufacturers for vehicles sold anywhere in the United States.

**(C) Requirement**

The Administrator shall not identify any vehicle as a low greenhouse gas emitting vehicle if the vehicle emits greenhouse gases at a higher rate than such standards allow for the manufacturer's fleet average grams per mile of carbon dioxide-equivalent emissions for that class of vehicle, taking into account any emissions allowances and adjustment factors such standards provide.

**(g) Authorization of appropriations**

There are authorized to be appropriated for carrying out this section, such sums as may be necessary for fiscal years 1993 through 1998, to remain available until expended.

(Pub. L. 102-486, title III, §303, Oct. 24, 1992, 106 Stat. 2871; Pub. L. 109-58, title VII, §702, Aug. 8, 2005, 119 Stat. 815; Pub. L. 110-140, title I, §141, Dec. 19, 2007, 121 Stat. 1517.)

AMENDMENTS

2007—Subsecs. (f), (g). Pub. L. 110-140 added subsec. (f) and redesignated former subsec. (f) as (g).

2005—Subsec. (c). Pub. L. 109-58 substituted “shall” for “may”.

EFFECTIVE DATE OF 2007 AMENDMENT

Amendment by Pub. L. 110-140 effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110-140, set out as an Effective Date note under section 1824 of Title 2, The Congress.

EXECUTIVE ORDER NO. 12844

Ex. Ord. No. 12844, Apr. 21, 1993, 58 F.R. 21885, as amended by Ex. Ord. No. 12974, §3(b), Sept. 29, 1995, 60 F.R. 51876, which required the Federal Government to institute a Federal fleet vehicle acquisition program and established the Federal Fleet Conversion Task Force to advise on implementation of the program, was revoked by Ex. Ord. No. 13031, §9, Dec. 13, 1996, 61 F.R. 66531, formerly set out below.

EXECUTIVE ORDER NO. 13031

Ex. Ord. No. 13031, Dec. 13, 1996, 61 F.R. 66529, which provided that the Federal Government exercise leadership in the use of alternative fueled vehicles, was revoked by Ex. Ord. No. 13149, §501, Apr. 21, 2000, 65 F.R. 24610, formerly set out below.

EXECUTIVE ORDER NO. 13149

Ex. Ord. No. 13149, Apr. 21, 2000, 65 F.R. 24607, which directed the Federal Government to exercise leadership in the reduction of petroleum consumption through improvements in fleet fuel efficiency and the use of alternative fuel vehicles and alternative fuels, was revoked by Ex. Ord. No. 13423, §11(a)(v), Jan. 24, 2007, 72 F.R. 3923, formerly set out in a note under section 4321 of this title.

**§ 13213. Refueling**

**(a) In general**

Federal agencies shall, to the maximum extent practicable, arrange for the fueling of alternative fueled vehicles acquired under section 13212 of this title at commercial fueling facilities that offer alternative fuels for sale to the public. If publicly available fueling facilities are not convenient or accessible to the location of Federal alternative fueled vehicles purchased under section 13212 of this title, Federal agencies are authorized to enter into commercial arrangements for the purposes of fueling Federal alternative fueled vehicles, including, as appropriate, purchase, lease, contract, construction, or other arrangements in which the Federal Government is a participant.

**(b) Authorization of appropriations**

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 1998, to remain available until expended.

(Pub. L. 102-486, title III, §304, Oct. 24, 1992, 106 Stat. 2872.)

**§ 13214. Federal agency promotion, education, and coordination**

**(a) Promotion and education**

The Secretary, in cooperation with the Administrator of General Services, shall promote programs and educate officials and employees of

Federal agencies on the merits of alternative fueled vehicles. The Secretary, in cooperation with the Administrator of General Services, shall provide and disseminate information to Federal agencies on—

- (1) the location of refueling and maintenance facilities available to alternative fueled vehicles in the Federal fleet;
- (2) the range and performance capabilities of alternative fueled vehicles;
- (3) State and local government and commercial alternative fueled vehicle programs;
- (4) Federal alternative fueled vehicle purchases and placements;
- (5) the operation and maintenance of alternative fueled vehicles in accordance with the manufacturer's standards and recommendations; and
- (6) incentive programs established pursuant to sections 13215<sup>1</sup> and 13216 of this title.

**(b) Assistance in procurement and placement**

The Secretary, in cooperation with the Administrator of General Services, shall provide guidance, coordination and technical assistance to Federal agencies in the procurement and geographic location of alternative fueled vehicles purchased through the Administrator of General Services. The procurement and geographic location of such vehicles shall comply with the purchase requirements under section 13212 of this title.

(Pub. L. 102-486, title III, §305, Oct. 24, 1992, 106 Stat. 2872.)

REFERENCES IN TEXT

Section 13215 of this title, referred to in subsec. (a)(6), was omitted from the Code since the section ceased to be effective after Oct. 24, 1995.

**§ 13215. Omitted**

CODIFICATION

Section, Pub. L. 102-486, title III, §306, Oct. 24, 1992, 106 Stat. 2873, which related to incentives for Federal agencies to encourage and promote use of alternative fueled vehicles, ceased to be effective after Oct. 24, 1995.

**§ 13216. Recognition and incentive awards program**

**(a) Awards program**

The Administrator of General Services shall establish annual awards program to recognize those Federal employees who demonstrate the strongest commitment to the use of alternative fuels and fuel conservation in Federal motor vehicles.

**(b) Criteria**

The Administrator of General Services shall provide annual awards to Federal employees who best demonstrate a commitment—

- (1) to the success of the Federal alternative fueled vehicle program through—
  - (A) exemplary promotion of alternative fueled vehicle use within Federal agencies;
  - (B) proper alternative fueled vehicle care and maintenance;
  - (C) coordination with Federal, State, and local efforts;

(D) innovative alternative fueled vehicle procurement, refueling, and maintenance arrangements with commercial entities;

(E) making regular requests for alternative fueled vehicles for agency use; and

(F) maintaining a high number of alternative fueled vehicles used relative to comparable conventionally fueled motor vehicles used; and

(2) to fuel efficiency in Federal motor vehicle use through the promotion of such measures as increased use of fuel-efficient vehicles, carpooling, ride-sharing, regular maintenance, and other conservation and awareness measures.

**(c) Authorization of appropriations**

There are authorized to be appropriated for the purpose of carrying out this section not more than \$35,000 for fiscal year 1994 and such sums as may be necessary for each of the fiscal years 1995 and 1996.

(Pub. L. 102-486, title III, §307, Oct. 24, 1992, 106 Stat. 2873.)

**§ 13217. Measurement of alternative fuel use**

The Administrator of General Services shall use such means as may be necessary to measure the percentage of alternative fuel use in dual-fueled vehicles procured by the Administrator of General Services. Not later than one year after October 24, 1992, the Secretary, in consultation with the Administrator of General Services, shall issue guidelines to Federal agencies for use in measuring the aggregate percentage of alternative fuel use in dual-fueled vehicles in their fleets.

(Pub. L. 102-486, title III, §308, Oct. 24, 1992, 106 Stat. 2874.)

**§ 13218. Reports**

**(a) Omitted**

**(b) Compliance report**

**(1) In general**

Not later than February 15, 2006, 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—

(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) Contents**

**(A) In general**

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

<sup>1</sup> See References in Text note below.