

## REFERENCES IN TEXT

This Act, referred to in subsec. (b)(1), is Pub. L. 102-486, Oct. 24, 1992, 102 Stat. 2776, known as the Energy Policy Act of 1992. For complete classification of this Act to the Code, see Short Title note set out under section 13201 of this title and Tables.

Executive Order No. 13031, referred to in subsec. (b)(1), (2)(A), was Ex. Ord. No. 13031, Dec. 13, 1996, 61 F.R. 66529, which was set out as a note under section 13212 of this title prior to revocation by Ex. Ord. No. 13149, §501, Apr. 21, 2000, 65 F.R. 24610, formerly set out as a note under section 13212 of this title.

## CODIFICATION

Subsec. (a) of this section, which required the Administrator of General Services to report biennially to Congress on the General Services Administration's alternative fueled vehicle program under the Energy Policy Act of 1992, 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 4th item on page 173 of House Document No. 103-7.

## AMENDMENTS

2005—Subsec. (b)(1), Pub. L. 109-58 substituted “February 15, 2006” for “1 year after November 13, 1998” in introductory provisions.

1998—Pub. L. 105-388 substituted “Reports” for “General Services Administration report” in section catchline, designated existing provisions as subsec. (a) and inserted heading, and added subsec. (b).

**§ 13219. United States Postal Service****(a) Omitted****(b) Coordination**

To the maximum extent practicable, the Postmaster General shall coordinate the Postal Service's alternative fueled vehicle procurement, placement, refueling, and maintenance programs with those at the Federal, State, and local level. The Postmaster General shall communicate, share, and disseminate, on a regular basis, information on such programs with the Secretary, the Administrator of General Services, and heads of appropriate Federal agencies.

**(c) Program criteria**

The Postmaster General shall consider the following criteria in the procurement and placement of alternative fueled vehicles:

- (1) The procurement plans of State and local governments and other public and private institutions.
- (2) The current and future availability of refueling and repair facilities.
- (3) The reduction in emissions of the Postal fleet.
- (4) Whether the vehicle is to be used in a nonattainment area as specified in the Clean Air Act Amendments of 1990.
- (5) The operational requirements of the Postal fleet.
- (6) The contribution to the reduction in the consumption of oil in the transportation sector.

(Pub. L. 102-486, title III, §311, Oct. 24, 1992, 106 Stat. 2874.)

## REFERENCES IN TEXT

The Clean Air Act Amendments of 1990, referred to in subsec. (c)(4), probably means Pub. L. 101-549, Nov. 15,

1990, 104 Stat. 2399. For complete classification of this Act to the Code, see Short Title of 1990 Amendment note set out under section 7401 of this title and Tables.

## CODIFICATION

Subsec. (a) of this section, which required the Postmaster General to biennially submit to Congress a report on the Postal Service's alternative fueled vehicle program, 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 15th item on page 194 of House Document No. 103-7.

**§ 13220. Biodiesel fuel use credits****(a) Allocation of credits****(1) In 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) Exceptions**

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) Authority 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) Documentation**

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) In 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 subchapter, subchapter II, or subchapter III.

**(2) Limitation**

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 subchapter, subchapter II, and subchapter III. This paragraph shall not apply to a fleet or covered person that is a biodiesel alternative fuel provider described in section 13251(a)(2)(A) of this title.

**(c) Credit not a section 13258 credit**

A credit under this section shall not be considered a credit under section 13258 of this title.