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HOUSE BILL 1010

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State of Washington

61st Legislature

2009 Regular Session

By Representatives Morris, Chase, and Moeller

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1 AN ACT Relating to the definition of a biofuel; and amending RCW  
2 19.112.010.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 19.112.010 and 2007 c 309 s 1 are each amended to read  
5 as follows:

6 The definitions in this section apply throughout this chapter  
7 unless the context clearly requires otherwise.

8 (1) "Alcohol fuel" means any alcohol made from a product other than  
9 petroleum or natural gas that is used alone or in combination with  
10 gasoline or other petroleum products for use as a fuel in self-  
11 propelled motor vehicles.

12 (2) "Alternative fuel" means all products or energy sources used to  
13 propel motor vehicles, other than conventional gasoline, diesel, or  
14 reformulated gasoline. Alternative fuel includes, but is not limited  
15 to, liquefied petroleum gas, liquefied natural gas, compressed natural  
16 gas, biodiesel fuel, E85 motor fuel, fuels containing seventy percent  
17 or more by volume of alcohol fuel, fuels that are derived from biomass,  
18 hydrogen fuel, anhydrous ammonia fuel, nonhazardous motor fuel, or  
19 electricity, excluding onboard electric generation.

1 (3) "Biodiesel fuel" means either: (a) The monoalkyl esters of  
2 long chain fatty acids derived from plant or animal matter that meet  
3 the registration requirements for fuels and fuel additives established  
4 by the federal environmental protection agency and standards  
5 established by the American society of testing and materials; or (b) a  
6 diesel fuel substitute produced from nonpetroleum renewable sources,  
7 including vegetable oils and animal fats, that meets the registration  
8 requirements for fuels and fuel additives established by the federal  
9 environmental protection agency in 40 C.F.R. Part 79 (2008) and meets  
10 the requirements of American society of testing and materials  
11 specification D 975, as of January 1, 2009.

12 (4) "Diesel" means special fuel as defined in RCW 82.38.020, and  
13 diesel fuel dyed in accordance with the regulations in 26 C.F.R. Sec.  
14 48.4082-1T as of October 24, 2005.

15 (5) "Director" means the director of agriculture.

16 (6) "E85 motor fuel" means an alternative fuel that is a blend of  
17 ethanol and hydrocarbon of which the ethanol portion is nominally  
18 seventy-five to eighty-five percent denatured fuel ethanol by volume  
19 that complies with the most recent version of American society of  
20 testing and materials specification D 5798.

21 (7) "Motor fuel" means any liquid product used for the generation  
22 of power in an internal combustion engine used for the propulsion of a  
23 motor vehicle upon the highways of this state, and any biodiesel fuel.  
24 Motor fuels containing ethanol may be marketed if either (a) the base  
25 motor fuel meets the applicable standards before the addition of the  
26 ethanol or (b) the resultant blend meets the applicable standards after  
27 the addition of the ethanol.

28 (8) "Nonhazardous motor fuel" means any fuel of a type distributed  
29 for use in self-propelled motor vehicles that does not contain a  
30 hazardous liquid as defined in RCW 19.122.020.

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