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Text of H.R. 1687: Open Fuel Standard Act of 2011

May 3, 2011 - Introduced in House. This is the original text of the bill as it was written by its sponsor and submitted to the House for consideration. This is the latest version of the bill currently available on GovTrack.

HR 1687 IH

112th CONGRESS

1st Session

H. R. 1687

To amend chapter 329 of title 49, United States Code, to ensure that new vehicles enable fuel competition so as to reduce the strategic importance of oil to the United States.

IN THE HOUSE OF REPRESENTATIVES

May 3, 2011

Mr. SHIMKUS (for himself, Mr. ENGEL, Mr. BARTLETT, and Mr. ISRAEL) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend chapter 329 of title 49, United States Code, to ensure that new vehicles enable fuel competition so as to reduce the strategic importance of oil to the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Open Fuel Standard Act of 2011'.

SEC. 2. OPEN FUEL STANDARD FOR MOTOR VEHICLES.

Chapter 329 of title 49, United States Code, is amended by inserting after section 32905 the following new section:

'Sec. 32905A. Open fuel standard for motor vehicles.

(a) Requirements- Except as provided in subsection (c), each manufacturer's fleet of covered vehicles for a particular model year shall be comprised of--

(1) not less than 50 percent qualified vehicles beginning in model year 2014;

`(2) not less than 80 percent qualified vehicles beginning in model year 2016; and

`(3) not less than 95 percent qualified vehicles beginning in model year 2017 and each subsequent year.

`(b) Additional Definitions- As used in this section--

`(1) the term 'covered vehicle' means a passenger automobile, and includes a light-duty motor vehicle;

`(2) the term 'qualified vehicle' means covered vehicle that--

`(A) has been warranted by its manufacturer to operate solely on natural gas, hydrogen, or biodiesel;

`(B) is a flexible fuel vehicle;

`(C) is a plug-in electric drive vehicle;

`(D) is propelled solely by fuel cell that produces power without the use of petroleum or a petroleum-based fuel; or

`(E) is propelled solely by something other than an internal combustion engine, and produces power without the use of petroleum or a petroleum-based fuel;

`(3) the term 'flexible fuel vehicle' means a vehicle that has been warranted by its manufacturer to operate on gasoline, E85, and M85;

`(4) the term 'E85' means a fuel mixture containing 85 percent ethanol and 15 percent gasoline by volume;

`(5) the term 'M85' means a fuel mixture containing 85 percent methanol and 15 percent gasoline by volume;

`(6) the term 'biodiesel' means diesel fuel which has been produced from a non-petroleum feedstock and which meets the standards of ASTM D6751-03;

`(7) the term 'plug-in electric drive vehicle' has the meaning given such term in section 508(a)(5) of the Energy Policy Act of 1992 (42 U.S.C. 13258(a)(5)); and

`(8) the term 'light-duty motor vehicle' means a light-duty truck or light-duty vehicle as such terms are defined in section 216(7) of the Clean Air Act (42 U.S.C. 7550(7)) of less than or equal to 8,500 pounds gross vehicle weight rating.

`(c) Temporary Exemption From Requirements-

`(1) APPLICATION- A manufacturer may request an exemption from the requirement described in subsection (a) by submitting an application to the Secretary, at such time, in such manner, and containing such information as the Secretary may require by regulation. Each such application shall specify the models, lines, and types of automobiles affected.

'(2) EVALUATION- After evaluating an application received from a manufacturer, the Secretary may at any time, under such terms and conditions, and to such extent as the Secretary considers appropriate, temporarily exempt, or renew the exemption of, a light-duty motor-vehicle from the requirement described in subsection (a) if the Secretary determines that unavoidable events not under the control of the manufacturer prevent the manufacturer of such automobile from meeting its required production volume of qualified automobiles, including--

'(A) a disruption in the supply of any component required for compliance with the regulations; or

'(B) a disruption in the use and installation by the manufacturer of such component.

'(3) CONSOLIDATION- The Secretary may consolidate applications received from multiple manufacturers under subparagraph '(A) if they are of a similar nature.

'(4) CONDITIONS- Any exemption granted under paragraph (2) shall be conditioned upon the manufacturer's commitment to recall the exempted automobiles for installation of the omitted components within a reasonable time proposed by the manufacturer and approved by the Secretary after such components become available in sufficient quantities to satisfy both anticipated production and recall volume requirements.

'(5) NOTICE- The Secretary shall publish in the Federal Register--

'(A) notice of each application received from a manufacturer;

'(B) notice of each decision to grant or deny a temporary exemption; and

'(C) the reasons for granting or denying such exemptions.

'(d) Rulemaking- Not later than 1 year after the date of enactment of this Act, the Secretary shall promulgate regulations as necessary to carry out this section.'



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SPECIAL ACTION ALERT

VOICE YOUR SUPPORT FOR H.R. 1687, THE OPEN FUEL STANDARD ACT, AS ONE COMMON SENSE APPROACH TO ENERGY INDEPENDENCE!

Last week, Rep. John Shimkus (R-IL/19th) introduced H.R. 1687, the Open Fuel Standard Act of 2011, legislation that finally would enable fuel competition in the United States, reducing the strategic importance of oil to our nation.

We are all feeling the pinch of the rising cost of gasoline. It is critical that our elected officials support alternative energy sources and NOW. We must cut the cord that keeps us dependent on wealthy dictators and Islamist nations for our gasoline. Further, we must stop funding Islamic terrorists every time we fill up our gas tanks. H.R. 1687 is a step in that direction.

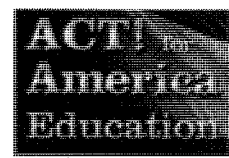
At ACT! for America, we understand that there are numerous approaches to the goal of energy independence and we support most of them. One common-sense approach is Open Fuel Standard legislation, like the legislation Congressman Shimkus just introduced. At zero cost to the federal government, passage of H.R. 1687 is one solution to reduce our nation's dependency on foreign oil, as it will allow us a choice each time we fill up our gas tanks. Do we choose standard gasoline? — Or, instead, ethanol, methanol, or bio-diesel? It doesn't matter which—just that we would have a CHOICE, something we don't have now.

The best part? It's doable in the short term and it's inexpensive to put into practice. So what are we waiting for?

We need support for the Open Fuel Standard Act so that it will quickly move through the legislative process and become law. Please click on the H.R. 1687, Open Fuel Standard Act of 2011 Action Alert HERE to send an e-mail to your Member of Congress, asking him/her to support H.R. 1687 by signing onto the proposal as a co-sponsor TODAY.

Thank you for all of your efforts!

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