

114TH CONGRESS
1ST SESSION

S. _____

To provide regulatory relief to alternative fuel producers and consumers,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. PAUL introduced the following bill; which was read twice and referred to
the Committee on _____

A BILL

To provide regulatory relief to alternative fuel producers
and consumers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fuel Choice and De-
5 regulation Act of 2015”.

6 **SEC. 2. ALTERNATIVE FUELS.**

7 (a) AFTERMARKET CONVERSIONS OF MOTOR VEHI-
8 CLES TO ALTERNATIVE FUEL.—Section 203 of the Clean
9 Air Act (42 U.S.C. 7522) is amended by adding at the
10 end the following:

1 “(c) OLDER VEHICLES.—

2 “(1) IN GENERAL.—The aftermarket conversion
3 of a vehicle to alternative fuel operation shall not—

4 “(A) be considered tampering under this
5 section if the aftermarket conversion system
6 manufacturer or the person performing the con-
7 version is able to demonstrate that the develop-
8 ment and engineering sophistication of the con-
9 version technology is—

10 “(i) matched to an appropriate vehicle
11 or group of vehicles; and

12 “(ii) well-designed and installed in ac-
13 cordance with good engineering judgment
14 so that the aftermarket conversion system
15 does not degrade emission performance, as
16 compared to the performance of the vehicle
17 or vehicles before the conversion; or

18 “(B) require the issuance by the Adminis-
19 trator of any certificate of conformity.

20 “(2) LABEL.—The person performing a conver-
21 sion described in paragraph (1) shall affix a label to
22 the motor vehicle stating that—

23 “(A) the vehicle has been equipped with an
24 aftermarket conversion system; and

1 “(B) the installation of that system oc-
2 curred after the initial sale of the vehicle.

3 “(3) NO PRECLUSION OF ORDERS.—Nothing in
4 this subsection may be construed to preclude the Ad-
5 ministrator from issuing an order to prohibit the
6 manufacture, sale, distribution, or installation of an
7 aftermarket conversion system if the Administrator
8 has evidence that the installation of the aftermarket
9 conversion system on a vehicle degrades emission
10 performance.”.

11 (b) BIOMASS FUELS.—Section 211 of the Clean Air
12 Act (42 U.S.C. 7545) is amended by adding at the end
13 the following:

14 “(w) BIOMASS FUELS.—Notwithstanding any other
15 provision of this Act, the Administrator may not prohibit
16 or control biomass fuel (as defined in section 203 of the
17 Biomass Energy and Alcohol Fuels Act of 1980 (42
18 U.S.C. 8802)) under this Act.”.

19 **SEC. 3. CALCULATION OF AVERAGE FUEL ECONOMY .**

20 (a) DEFINITIONS.—Section 32901(a) of title 49,
21 United States Code, is amended—

22 (1) by redesignating paragraphs (13) through
23 (19) as paragraphs (19) through (26);

24 (2) by redesignating paragraphs (11) and (12)
25 as paragraphs (16) and (17), respectively;

1 (3) by redesignating paragraph (10) as para-
2 graph (13);

3 (4) by redesignating paragraphs (7), (8), and
4 (9) as paragraphs (8), (9), and (10), respectively;

5 (5) by inserting after paragraph (6) the fol-
6 lowing:

7 “(7) ‘biodiesel’ means diesel fuel that—

8 “(A) has been produced from a nonpetro-
9 leum feedstock; and

10 “(B) meets the specifications of the ASTM
11 International Standard D6751.”;

12 (6) by inserting after paragraph (10), as reded-
13 icated, the following:

14 “(11) ‘E85’ means a fuel mixture that—

15 “(A) contains up to 85 percent ethanol;
16 and

17 “(B) meets the specifications of the ASTM
18 International Standard D5798.

19 “(12) ‘flexible fuel vehicle’ means a vehicle that
20 has been warranted to operate on gasoline, E85, and
21 M85.”;

22 (7) by inserting after paragraph (13), as reded-
23 icated, the following:

24 “(14) ‘fuel choice enabling manufacturer’
25 means a manufacturer whose total fleet of auto-

1 mobiles manufactured for the most recent model
2 year for sale in the United States contains at least
3 50 percent fuel choice enabling vehicles.

4 “(15) ‘fuel choice enabling vehicle’ means an
5 automobile that—

6 “(A) has been warranted to operate on
7 natural gas, hydrogen, propane, or biodiesel;

8 “(B) is a flexible fuel vehicle;

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

10 “(D) is propelled by a fuel cell that can
11 produce power without the use of petroleum or
12 a petroleum-based fuel; or

13 “(E)(i) is propelled by something other
14 than an internal combustion engine; and

15 “(ii) is warranted to operate on something
16 other than petroleum-based fuel.”;

17 (8) by inserting after paragraph (17), as reded-
18 icated, the following:

19 “(18) ‘M85’ means a fuel mixture that—

20 “(A) contains up to 85 percent methanol;

21 and

22 “(B) meets the specifications of the ASTM
23 International Standard D5797.”; and

24 (9) by inserting after paragraph (25), as reded-
25 icated, the following:

1 “(26) ‘plug-in electric drive vehicle’ has the
2 meaning given such term in section 508(a) of the
3 Energy Policy Act of 1992 (42 U.S.C. 13258(a)).”.

4 (b) FUEL CHOICE ENABLING MANUFACTURERS.—
5 Chapter 329 of title 49, United States Code, is amended—

6 (1) in section 32902, by adding at the end the
7 following:

8 “(1) DEEMED COMPLIANCE WITH THE CLEAN AIR
9 ACT.—If a fuel choice enabling manufacturer is in compli-
10 ance with all applicable standards prescribed under this
11 section for model year 2016 or any subsequent model year,
12 the automobiles manufactured by such manufacturer in
13 such model year are deemed to be in compliance with all
14 applicable greenhouse gas regulations established by the
15 Environmental Protection Agency pursuant to section 202
16 of the Clean Air Act (42 U.S.C. 7521).”;

17 (2) in section 32903(a), by amending para-
18 graph (2) to read as follows:

19 “(2) any of the 5 consecutive model years im-
20 mediately after the model year for which the credits
21 are earned, to the extent that such credits are not
22 used under paragraph (1);”;

23 (3) in section 32904—

24 (A) by redesignating subsections (d) and
25 (e) as subsections (e) and (f), respectively; and

1 (B) by inserting after subsection (c) the
2 following:

3 “(d) AVERAGE FUEL ECONOMY BONUS FOR FUEL
4 CHOICE ENABLING MANUFACTURERS.—The average fuel
5 economy of a fuel choice enabling manufacturer for a
6 model year is the sum of—

7 “(1) the average fuel economy of such manufac-
8 turer for such model year, as otherwise calculated
9 pursuant to this section; and

10 “(2) 8 miles per gallon.”.

11 (e) EFFECTIVE DATE.—The amendments made by
12 this section shall apply with respect to automobiles manu-
13 factured for model year 2016 or for any subsequent model
14 year.

15 **SEC. 4. EQUALIZATION OF EXCISE TAX ON LIQUEFIED NAT-**
16 **URAL GAS AND PER ENERGY EQUIVALENT OF**
17 **DIESEL.**

18 (a) IN GENERAL.—Section 4041(a)(2) of the Internal
19 Revenue Code of 1986 is amended—

20 (1) in subparagraph (B)—

21 (A) in clause (i), by striking “and” at the
22 end;

23 (B) in clause (ii)—

24 (i) by striking “liquefied natural
25 gas,”;

1 (ii) by striking “peat), and” and in-
2 serting “peat) and”; and

3 (iii) by striking the period at the end
4 and inserting “, and”; and

5 (C) by adding at the end the following new
6 clause:

7 “(iii) in the case of liquefied natural
8 gas, 24.3 cents per energy equivalent of a
9 gallon of diesel.”; and

10 (2) by adding at the end the following:

11 “(C) ENERGY EQUIVALENT OF A GALLON
12 OF DIESEL.—For purposes of this paragraph,
13 the term ‘energy equivalent of a gallon of diesel’
14 means, with respect to a liquefied natural gas
15 fuel, the amount of such fuel having a Btu con-
16 tent of 128,700 (lower heating value).

17 “(D) ADMINISTRATIVE PROVISIONS.—For
18 purposes of applying this title with respect to
19 the taxes imposed by this subsection, references
20 to any liquid subject to tax under this sub-
21 section shall be treated as including references
22 to liquefied natural gas subject to tax under
23 this paragraph.”.

24 (b) EFFECTIVE DATE.—The amendments made by
25 this section shall apply to any sale or use of liquefied nat-

1 ural gas after the date that is 14 days after the date of
2 the enactment of this Act.

3 **SEC. 5. ETHANOL WAIVER.**

4 Section 211(h)(4) of the Clean Air Act (42 U.S.C.
5 7545(h)(4)) is amended—

6 (1) in the matter preceding subparagraph (A),
7 by inserting “or more” after “10 percent”; and

8 (2) in subparagraph (C), by striking “additional
9 alcohol or”.