

BRIEFING ON THE NRC AFV PROGRAM

- AFV LEGISLATION
- NRC ORIGINAL INTERPRETATION OF AFV LEGISLATION
- NRC AFV PROGRAM ACTUAL AND PLANNED EPACT COMPLIANCE BY FISCAL YEAR AS OF SEPTEMBER 1998
- NEW INTERPRETATION OF AFV LEGISLATION
- DAS SURVEY OF HEADQUARTERS FLEET UTILIZATION
- DAS PROPOSED REDUCTION OF 2 VEHICLES FROM HEADQUARTERS FLEET
- IMPACT OF THE PROPOSED REDUCTION ON THE NRC AFV PROGRAM
- IMPACT OF THE PROPOSED REDUCTION ON THE HEADQUARTERS FLEET

10/30/98

Ed approved reduction of 2

Headquarters U-Drive-It vehicles

to reduce HQ onsite fleet to 19

A13

AFV LEGISLATION

The Energy Policy Act of 1992 (EPACT) (see Attachment #1) required federal agencies to make Alternative Fuel Vehicle (AFV) acquisitions an increasing percentage of their fleet beginning in FY 1996.

EPACT required that AFV vehicles make up a percentage of each agencies new fleet vehicles each Fiscal Year as follows:

FY 1996 = 25% of new acquisitions
FY 1997 = 33% of new acquisitions
FY 1998 = 50% of new acquisitions
FY 1999 = 75% of new acquisitions
Thereafter = 75% of new acquisitions

The Executive Order 13031 "Federal Alternative Fueled Vehicle Leadership" (see Attachment #2) signed December 13, 1996, instructed each agency to report on their compliance with the AFV fleet requirements of EPACT to OMB, DOE and GSA each year as part of it's budget submission. Please refer to Attachment #3 for NRC's latest report on EPACT compliance submitted in September, 1998.

NRC ORIGINAL INTERPRETATION OF AFV LEGISLATION

DAS personnel reviewed the EO 13031 language and interpreted the order to require an agency to consider all agency vehicles as one "fleet" with the only NRC vehicles exempted from the AFV requirements being the 4 Region III vehicles located at remote Gaseous Diffusion Plants in Portsmouth, Ohio and Paducah, Kentucky. DAS personnel did not review the EPACT language.

NRC AFV PROGRAM ACTUAL AND PLANNED EPACT COMPLIANCE BY FISCAL YEAR AS OF SEPTEMBER 1998

FISCAL YEAR 1996 TARGET = 25%
FISCAL YEAR 1996 ACTUAL = 15%

FISCAL YEAR 1997 TARGET = 33%
FISCAL YEAR 1997 ACTUAL = 30%

FISCAL YEAR 1998 TARGET = 50%
FISCAL YEAR 1998 ACTUAL = 33%

FISCAL YEAR 1999 TARGET = 75%
FISCAL YEAR 1999 PLANNED = 73%

FISCAL YEAR 2000 TARGET = 75%
FISCAL YEAR 2000 PLANNED = 80%

Narrative Summary:**FY 1996:**

NRC acquired 20 vehicles in FY-96, of which 9 were obtained for the Headquarters fleet and 11 were regional fleet vehicles. Of the 9 Headquarters vehicles acquired, 3 were AFV's. However, none of the regions ordered AFV vehicles. This resulted in the total percentage of AFV acquisitions for the agency to be 15%.

FY 1997:

NRC planned to acquire 9 vehicles for its Headquarters location in FY-97 of which 3 were to be AFVs. NRC ordered 3 AFVs from the General Services Administration (GSA) in compliance with the 33% EPACT threshold required for FY-97. However, an NRC Regional office acquired a non-AFV vehicle in FY-97 which had inadvertently been overlooked in the NRC's AFV acquisition plan. This additional vehicle raised the total number of NRC vehicle acquisitions to 10 instead of 9 in FY-97, resulting in 30% of the total agency new acquisitions being AFV's, not 33%.

FY 1998:

The NRC planned 3 new vehicle acquisitions in FY-98 and 2 were ordered from GSA as AFV's. This plan was intended to exceed the FY-98 threshold of 50% and result in an AFV acquisition percentage of 66% for NRC in FY-98. However, of the 2 AFV vehicles NRC ordered from GSA in FY98, GSA was able to deliver only 1 as an AFV. This resulted in NRC's FY-98 AFV acquisition percentage decreasing from the planned target of 66% to an actual acquisition percentage of 33%.

FY 1999:

In FY-99, NRC's plans for compliance with the EPACT and EO 13031 AFV requirement of 75% of new vehicle acquisitions will fall just below the threshold at 73%. Of the 21 new vehicle acquisitions planned for FY-99, 2 are exempt since they are located in an NRC Regional office outside a Metropolitan Statistical Area of 250,000. Of the remaining 19 vehicles being acquired, 14 will be ordered from GSA as AFV's. NRC plans to offset the 2% FY-99 AFV acquisition shortfall by exceeding the AFV threshold for FY-2000 by 5%.

FY 2000:

In FY-2000, NRC plans to exceed the 75% EPACT and EO 13031 requirement for federal FY-2000 AFV acquisitions. NRC plans to acquire 5 new vehicles in FY-2000, and 4 of them will be ordered from GSA as AFV's. This will result in NRC achieving an 80% AFV acquisition percentage in FY2000.

NEW INTERPRETATION OF AFV LEGISLATION

In late September, 1998, after a detailed review of the language in the EPACT legislation by DAS personnel, it was discovered the EPACT AFV vehicle acquisition requirement only applies to a fleet if the fleet consists of at least 20 vehicles being used within the same metropolitan area. This clarification was confirmed by an NRC OGC review of the EPACT legislation in October, 1998 (see Attachment #4).

As a result of this clarification, NRC regional offices are exempt from the AFV requirements of EPACT since no NRC region has enough vehicles (20) to be considered an applicable "fleet" under the EPACT definition. The EPACT AFV requirements only apply to the 21 vehicles located at NRC Headquarters.

DAS SURVEY OF HEADQUARTERS FLEET UTILIZATION

DAS personnel have recently completed a usage survey of the NRC Headquarters U-Drive-It vehicles over the 8-month period from January through August, 1998, to determine if these vehicles which are not assigned to daily tasks and instead are retained for intermittent and/or ad-hoc local travel needs, are being efficiently utilized.

This survey reflected that of the 8 "U-DRIVE-IT" vehicles kept on-hand, at no time were more than 6 vehicles being utilized each day during the period reviewed. Please refer to Attachment #5 which reflects monthly usage of individual vehicles and Attachment #6 reflects daily total usage of the fleet.

DAS PROPOSED REDUCTION OF 2 VEHICLES FROM HEADQUARTERS FLEET

DAS interprets this survey to indicate the U-Drive-It fleet could be reduced by 2 vehicles with no apparent impact on our ability to provide this service. A reduction of 2 Headquarters vehicles (one sedan and one van) would modify the fleet size to be more consistent with the current fleet workload.

IMPACT OF THE PROPOSED REDUCTION ON THE NRC AFV PROGRAM

The reduction of 2 Headquarters vehicles would result in the NRC Headquarters fleet being downsized to a total of 19 vehicles and thus becoming exempt from the mandatory requirements of the AFV legislation. NRC would then have the discretion to participate in the federal AFV initiative voluntarily on a more limited basis.

IMPACT OF THE PROPOSED REDUCTION ON THE HEADQUARTERS FLEET

The projected cost savings from this reduction would be \$14,500 for the first 12-month period following the release of the 2 vehicles by eliminating the cost of the Alternative Fuel Vehicle surcharges (approximately \$11,000 total AFV surcharge for both vehicles which NRC would be billed over the initial 12-month period of the new vehicle's 3-year lease from GSA) and \$3,500 per year thereafter by eliminating the cost of the annual base lease of the 2 vehicles (estimated cost for both vehicles is \$3,500 in FY-99). The actual FY 99 savings is subject to the release date of the 2 vehicles. Additional cost savings would be achieved each time NRC acquires a new vehicle because NRC would only have to acquire AFV vehicles on a voluntary basis and could select only those vehicle types for AFV participation which have a modest AFV surcharge, if at all.

276), October 24, 1992

tion of active noise and vibration cancellation technologies using fast adapting algorithms in products or equipment with a significant potential for increased energy efficiency.

TITLE II—NATURAL GAS

SEC. 201. FEWER RESTRICTIONS ON CERTAIN NATURAL GAS IMPORTS AND EXPORTS.

Section 3 of the Natural Gas Act (15 U.S.C. 717b) is amended by inserting "(a)" before "After six months"; and by adding at the end the following new subsections:

"(b) With respect to natural gas which is imported into the United States from a nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas, and with respect to liquefied natural gas—

"(1) the importation of such natural gas shall be treated as a 'first sale' within the meaning of section 2(21) of the Natural Gas Policy Act of 1978; and

"(2) the Commission shall not, on the basis of national origin, treat any such imported natural gas on an unjust, unreasonable, unduly discriminatory, or preferential basis.

"(c) For purposes of subsection (a), the importation of the natural gas referred to in subsection (b), or the exportation of natural gas to a nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas, shall be deemed to be consistent with the public interest, and applications for such importation or exportation shall be granted without modification or delay."

42 USC 13211.

SEC. 202. SENSE OF CONGRESS.

It is the sense of the Congress that natural gas consumers and producers, and the national economy, are best served by a competitive natural gas wellhead market.

TITLE III—ALTERNATIVE FUELS— GENERAL

SEC. 301. DEFINITIONS.

For purposes of this title, title IV, and title V (unless otherwise specified)—

(1) the term "Administrator" means the Administrator of the Environmental Protection Agency;

(2) the term "alternative fuel" means methanol, denatured ethanol, and other alcohols; mixtures containing 85 percent or more (or such other percentage, but not less than 70 percent, as determined by the Secretary, by rule, to provide for requirements relating to cold start, safety, or vehicle functions) by volume of methanol, denatured ethanol, and other alcohols with gasoline or other fuels; natural gas; liquefied petroleum gas; hydrogen; coal-derived liquid fuels; fuels (other than alcohol) derived from biological materials; electricity (including electricity from solar energy); and any other fuel the Secretary determines, by rule, is substantially not petroleum and would yield substantial energy security benefits and substantial environmental benefits;

(3) the term "alternative fueled vehicle" means a dedicated vehicle or a dual fueled vehicle;

(4) the term "comparable conventionally fueled motor vehicle" means a motor vehicle which is, as determined by the Secretary—

(A) commercially available at the time the comparability of the vehicle is being assessed;

(B) powered by an internal combustion engine that utilizes gasoline or diesel fuel as its fuel source; and

(C) provides passenger capacity or payload capacity the same or similar to the alternative fueled vehicle to which it is being compared;

(5) "covered person" means a person that owns, operates, leases, or otherwise controls—

(A) a fleet that contains at least 20 motor vehicles that are centrally fueled or capable of being centrally fueled, and are used primarily within a metropolitan statistical area or a consolidated metropolitan statistical area, as established by the Bureau of the Census, with a 1980 population of 250,000 or more; and

(B) at least 50 motor vehicles within the United States;

(6) the term "dedicated vehicle" means—

(A) a dedicated automobile, as such term is defined in section 513(h)(1)(C) of the Motor Vehicle Information and Cost Savings Act; or

(B) a motor vehicle, other than an automobile, that operates solely on alternative fuel;

(7) the term "domestic" means derived from resources within the several States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or any other Commonwealth, territory, or possession of the United States, including the outer Continental Shelf, as such term is defined in the Outer Continental Shelf Lands Act, or from resources within a Nation with which there is in effect a free trade agreement requiring national treatment for trade;

(8) the term "dual fueled vehicle" means—

(A) dual fueled automobile, as such term is defined in section 513(h)(1)(D) of the Motor Vehicle Information and Cost Savings Act; or

(B) a motor vehicle, other than an automobile, that is capable of operating on alternative fuel and is capable of operating on gasoline or diesel fuel;

(9) the term "fleet" means a group of 20 or more light duty motor vehicles, used primarily in a metropolitan statistical area or consolidated metropolitan statistical area, as established by the Bureau of the Census, with a 1980 population of more than 250,000, that are centrally fueled or capable of being centrally fueled and are owned, operated, leased, or otherwise controlled by a governmental entity or other person who owns, operates, leases, or otherwise controls 50 or more such vehicles, by any person who controls such person, by any person controlled by such person, and by any person under common control with such person, except that such term does not include—

- (A) motor vehicles held for lease or rental to the general public;
- (B) motor vehicles held for sale by motor vehicle dealers, including demonstration motor vehicles;
- (C) motor vehicles used for motor vehicle manufacturer product evaluations or tests;
- (D) law enforcement motor vehicles;
- (E) emergency motor vehicles;
- (F) motor vehicles acquired and used for military purposes that the Secretary of Defense has certified to the Secretary must be exempt for national security reasons;
- (G) nonroad vehicles, including farm and construction motor vehicles; or
- (H) motor vehicles which under normal operations are garaged at personal residences at night;
- (10) the term "fuel supplier" means—
- (A) any person engaged in the importing, refining, or processing of crude oil to produce motor fuel;
- (B) any person engaged in the importation, production, storage, transportation, distribution, or sale of motor fuel; and
- (C) any person engaged in generating, transmitting, importing, or selling at wholesale or retail electricity;
- (11) the term "light duty motor vehicle" means a light duty truck or light duty vehicle, as such terms are defined under 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;
- (12) the term "motor fuel" means any substance suitable as a fuel for a motor vehicle;
- (13) the term "motor vehicle" has the meaning given such term under section 216(2) of the Clean Air Act (42 U.S.C. 7550(2)); and
- (14) the term "replacement fuel" means the portion of any motor fuel that is methanol, ethanol, or other alcohols, natural gas, liquefied petroleum gas, hydrogen, coal derived liquid fuels, fuels (other than alcohol) derived from biological materials, electricity (including electricity from solar energy), ethers, or any other fuel the Secretary determines, by rule, is substantially not petroleum and would yield substantial energy security benefits and substantial environmental benefits.

SEC. 302. AMENDMENTS TO THE ENERGY POLICY AND CONSERVATION ACT.

(a) AMENDMENTS.—Section 400AA of the Energy Policy and Conservation Act (42 U.S.C. 6374) is amended—

(1) in subsection (a)(1)—

(A) by striking "passenger automobiles and light duty trucks" and inserting in lieu thereof "vehicles"; and

(B) by striking "alcohol powered vehicles, dual energy vehicles, natural gas powered vehicles, or natural gas dual energy vehicles." and inserting in lieu thereof "alternative fueled vehicles. In no event shall the number of such vehicles acquired be less than the number required under section 303 of the Energy Policy Act of 1992.";

(2) by amending subsection (a)(3) to read as follows:

"(3)(A) To the extent practicable, the Secretary shall acquire both dedicated and dual fueled vehicles, and shall ensure that each type of alternative fueled vehicle is used by the Federal Government.

"(B) Vehicles acquired under this section shall be acquired from original equipment manufacturers. If such vehicles are not available from original equipment manufacturers, vehicles converted to use alternative fuels may be acquired if, after conversion, the original equipment manufacturer's warranty continues to apply to such vehicles, pursuant to an agreement between the original equipment manufacturer and the person performing the conversion. This subparagraph shall not apply to vehicles acquired by the United States Postal Service pursuant to a contract entered into by the United States Postal Service before the date of enactment of this subparagraph and which terminates on or before December 31, 1997.

"(C) Alternative fueled vehicles, other than those described in subparagraph (B), may be acquired solely for the purposes of studies under subsection (b), whether or not original equipment manufacturer warranties still apply.

"(D) In deciding which types of alternative fueled vehicles to acquire in implementing this part, the Secretary shall consider as a factor—

"(i) which types of vehicles yield the greatest reduction in pollutants emitted per dollar spent; and

"(ii) the source of the fuel to supply the vehicles, giving preference to vehicles that operate on alternative fuels derived from domestic sources.

"(E) Dual fueled vehicles acquired pursuant to this section shall be operated on alternative fuels unless the Secretary determines that operation on such alternative fuels is not feasible.

"(F) At least 50 percent of the alternative fuels used in vehicles acquired pursuant to this section shall be derived from domestic feedstocks, except to the extent inconsistent with the General Agreement on Tariffs and Trade. The Secretary shall issue regulations to implement this requirement. For purposes of this subparagraph, the term 'domestic' has the meaning given such term in section 301(7) of the Energy Policy Act of 1992.

"(G) Except to the extent inconsistent with the General Agreement on Tariffs and Trade, vehicles acquired under this section shall be motor vehicles manufactured in the United States or Canada."

(3) by adding at the end of subsection (a) the following new paragraph:

"(4) Acquisitions of vehicles under this section shall, to the extent practicable, be coordinated with acquisitions of alternative fueled vehicles by State and local governments."

(4) in subsection (b), by inserting after paragraph (2) the following new paragraphs:

"(3)(A) The Secretary, in cooperation with the Environmental Protection Agency and the Department of Transportation, shall collect data and conduct a study of heavy duty vehicles acquired under subsection (a), which shall at a minimum address—

"(i) the performance of such vehicles, including reliability, durability, and performance in cold weather and at high altitude;

Regulations.

“(ii) the fuel economy, safety, and emissions of such vehicles; and

“(iii) a comparison of the operation and maintenance costs of such vehicles to the operation and maintenance costs of conventionally fueled heavy duty vehicles.

“(B) The Secretary shall provide a report on the results of the study conducted under subparagraph (A) to the Committees on Commerce, Science, and Transportation, Governmental Affairs, and Energy and Natural Resources of the Senate, and the Committees on Energy and Commerce and Government Operations of the House of Representatives, within one year after the first such vehicles are acquired, and annually thereafter.

“(4)(A) The Secretary and the Administrator of the General Services Administration shall conduct a study of the advisability, feasibility, and timing of the disposal of heavy duty vehicles acquired under subsection (a) and any problems with such disposal. Such study shall take into account existing laws governing the sale of Government vehicles and shall specifically focus on when to sell such vehicles and what price to charge.

“(B) The Secretary and the Administrator of the General Services Administration shall report the results of the study conducted under subparagraph (A) to the Committees on Commerce, Science, and Transportation, Governmental Affairs, and Energy and Natural Resources of the Senate, and the Committee on Energy and Commerce and the Committee on Government Operations of the House of Representatives, within one year after funds are appropriated for carrying out this paragraph.

“(5) Studies undertaken under this subsection shall be coordinated with relevant testing activities of the Environmental Protection Agency and the Department of Transportation.”;

(5) in subsection (c)—

(A) by striking “alcohol or natural gas, alcohol or natural gas” and inserting in lieu thereof “alternative fuels, such fuels”; and

(B) by striking “alcohol or natural gas” and inserting in lieu thereof “alternative fuel” in paragraph (1);

(6) in subsection (d)(2)(B), by striking “The Secretary” and inserting in lieu thereof “To the extent that appropriations are available for such purposes, the Secretary”;

(7) in subsection (g), by striking paragraphs (2) through (6) and inserting in lieu thereof the following:

“(2) the term ‘alternative fuel’ means methanol, denatured ethanol, and other alcohols; mixtures containing 85 percent or more (or such other percentage, but not less than 70 percent, as determined by the Secretary, by rule, to provide for requirements relating to cold start, safety, or vehicle functions) by volume of methanol, denatured ethanol, and other alcohols with gasoline or other fuels; natural gas; liquefied petroleum gas; hydrogen; coal-derived liquid fuels; fuels (other than alcohol) derived from biological materials; electricity (including electricity from solar energy); and any other fuel the Secretary determines, by rule, is substantially not petroleum and would yield substantial energy security benefits and substantial environmental benefits;

“(3) the term ‘alternative fueled vehicle’ means a dedicated vehicle or a dual fueled vehicle;

“(4) the term ‘dedicated vehicle’ means—

“(A) a dedicated automobile, as such term is defined in section 513(h)(1)(C) of the Motor Vehicle Information and Cost Savings Act; or

“(B) a motor vehicle, other than an automobile, that operates solely on alternative fuel;

“(5) the term ‘dual fueled vehicle’ means—

“(A) dual fueled automobile, as such term is defined in section 513(h)(1)(D) of the Motor Vehicle Information and Cost Savings Act; or

“(B) a motor vehicle, other than an automobile, that is capable of operating on alternative fuel and is capable of operating on gasoline or diesel fuel; and

“(6) the term ‘heavy duty vehicle’ means a vehicle of greater than 8,500 pounds gross vehicle weight rating.”; and

(8) by amending subsection (i)(1) to read as follows: “(1) For the purposes of this section, there are authorized to be appropriated such sums as may be necessary for fiscal years 1993 through 1998, to remain available until expended.”

(b) REPEAL OF TERMINATION DATE.—Section 4(b) of the Alternative Motor Fuels Act of 1988 is repealed.

42 USC 6374
note.

SEC. 303. MINIMUM FEDERAL FLEET REQUIREMENT.

42 USC 13212.

(a) GENERAL REQUIREMENTS.—(1) The Federal Government shall acquire at least—

(A) 5,000 light duty alternative fueled vehicles in fiscal year 1993;

(B) 7,500 light duty alternative fueled vehicles in fiscal year 1994; and

(C) 10,000 light duty alternative fueled vehicles in fiscal year 1995.

(2) The Secretary shall allocate the acquisitions necessary to meet the requirements under paragraph (1).

(b) PERCENTAGE REQUIREMENTS.—(1) Of the total number of vehicles acquired by a Federal fleet, at least—

(A) 25 percent in fiscal year 1996;

(B) 33 percent in fiscal year 1997;

(C) 50 percent in fiscal year 1998; and

(D) 75 percent in fiscal year 1999 and thereafter,

shall be alternative fueled vehicles.

(2) The Secretary, in consultation with the Administrator of General Services where appropriate, may permit a Federal fleet to acquire a smaller percentage than is required in paragraph (1), so long as the aggregate percentage acquired by all Federal fleets is at least equal to the required percentage.

(3) For purposes of this subsection, the term “Federal fleet” means 20 or more light duty motor vehicles, located in a metropolitan statistical area or consolidated metropolitan statistical area, as established by the Bureau of the Census, with a 1980 population of more than 250,000, that are centrally fueled or capable of being centrally fueled and are owned, operated, leased, or otherwise controlled by or assigned to any Federal executive department, military department, Government corporation, independent establishment, or executive agency, the United States Postal Service, the Congress, the courts of the United States, or the Executive Office of the President. Such term does not include—

(A) motor vehicles held for lease or rental to the general public;

Federal
Fleet.

(B) motor vehicles used for motor vehicle manufacturer product evaluations or tests;

(C) law enforcement vehicles;

(D) emergency vehicles;

(E) motor vehicles acquired and used for military purposes that the Secretary of Defense has certified to the Secretary must be exempt for national security reasons; or

(F) nonroad vehicles, including farm and construction vehicles.

(c) **ALLOCATION OF INCREMENTAL COSTS.**—The General Services Administration and any other Federal agency that procures motor vehicles for distribution to other Federal agencies may allocate the incremental cost of alternative fueled vehicles over the cost of comparable gasoline vehicles across the entire fleet of motor vehicles distributed by such agency.

(d) **APPLICATION OF REQUIREMENTS.**—The provisions of section 400AA of the Energy Policy and Conservation Act relating to the Federal acquisition of alternative fueled vehicles shall apply to the acquisition of vehicles pursuant to this section.

(e) **RESALE.**—The Administrator of General Services shall take all feasible steps to ensure that all alternative fueled vehicles sold by the Federal Government shall remain alternative fueled vehicles at time of sale.

(f) **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.

42 USC 13213.

SEC. 304. REFUELING.

(a) **IN GENERAL.**—Federal agencies shall, to the maximum extent practicable, arrange for the fueling of alternative fueled vehicles acquired under section 303 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 303, 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.

42 USC 13214.

SEC. 305. 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 306 and 307 of this Act.

(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 303 of this Act.

SEC. 306. AGENCY INCENTIVES PROGRAM.

42 USC 13215.

(a) **REDUCTION IN RATES.**—To encourage and promote use of alternative fueled vehicles in Federal agencies, the Administrator of General Services may offer a reduction in fees charged to agencies for the lease of alternative fueled vehicles below those fees charged for the lease of comparable conventionally fueled motor vehicles.

(b) **SUNSET PROVISION.**—This section shall cease to be effective 3 years after the date of the enactment of this Act.

SEC. 307. RECOGNITION AND INCENTIVE AWARDS PROGRAM.

42 USC 13216.

(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.

Establishment.

42 USC 13217. **SEC. 308. 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 the date of the enactment of this Act, 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.

SEC. 309. INFORMATION COLLECTION.

42 USC 6374.

Section 400AA(b)(1)(A) of the Energy Policy and Conservation Act is amended by striking "the vehicles acquired under subsection (a)" and inserting in lieu thereof "a representative sample of alternative fueled vehicles in Federal fleets".

42 USC 13218.

SEC. 310. GENERAL SERVICES ADMINISTRATION REPORT.

Not later than one year after the date of the enactment of this Act, and biennially thereafter, the Administrator of General Services shall report to the Congress on the General Services Administration's alternative fueled vehicle program under this Act. The report shall contain information on—

- (1) the number and type of alternative fueled vehicles procured;
- (2) the location of alternative fueled vehicles by standard Federal region;
- (3) the total number of alternative fueled vehicles used by each Federal agency;
- (4) arrangements with commercial entities for refueling and maintenance of alternative fueled vehicles;
- (5) future alternative fueled vehicle procurement and placement strategy;
- (6) the difference in cost between the purchase, maintenance, and operation of alternative fueled vehicles and the purchase, maintenance, and operation of comparable conventionally fueled motor vehicles;
- (7) coordination among Federal, State, and local governments for alternative fueled vehicle procurement and placement;
- (8) the percentage of alternative fuel use in dual-fueled vehicles procured by the Administrator of General Services as measured under section 308;
- (9) a description of the representative sample of alternative fueled vehicles as determined under section 400AA(b)(1)(A) of the Energy Policy and Conservation Act; and
- (10) award recipients under this title.

42 USC 13219.

SEC. 311. UNITED STATES POSTAL SERVICE.

(a) **REPORT.**—Not later than one year after the date of the enactment of this Act, and biennially thereafter, the Postmaster General shall submit a report to the Congress on the Postal Service's alternative fueled vehicle program. The report shall contain information on—

- (1) the total number and type of alternative fueled vehicles procured prior to the date of the enactment of this Act (first report only);
- (2) the number and type of alternative fueled vehicles procured in the preceding year;

- (3) the location of alternative fueled vehicles by region;
- (4) arrangements with commercial entities for purposes of refueling and maintenance;
- (5) future alternative fuel procurement and placement strategy;
- (6) the difference in cost between the purchase, maintenance, and operation of alternative fueled vehicles and the purchase, maintenance, and operation of comparable conventionally fueled motor vehicles;
- (7) the percentage of alternative fuel use in dual-fueled vehicles procured by the Postmaster General;
- (8) promotions and incentives to encourage the use of alternative fuels in dual-fueled vehicles; and
- (9) an assessment of the program's relative success and policy recommendations for strengthening the program.

(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.

TITLE IV—ALTERNATIVE FUELS—NON-FEDERAL PROGRAMS

SEC. 401. TRUCK COMMERCIAL APPLICATION PROGRAM.

(a) **ALTERNATIVE FUELED TRUCKS.**—Section 400BB(a) of the Energy Policy and Conservation Act (42 U.S.C. 6374a(a)) is amended by striking "alcohol and natural gas" and inserting in lieu thereof "alternative fuels".

(b) **FUNDING.**—Section 400BB(b)(1) of such Act (42 U.S.C. 6374a(b)(1)) is amended to read as follows: "(1) 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 1995, to remain available until expended."

SEC. 402. CONFORMING AMENDMENTS.

Part J of title III of the Energy Policy and Conservation Act is amended—

- (1) in section 400CC(a)—

(A) by striking "alcohol and buses capable of operating on natural gas" and inserting in lieu thereof "alternative fuels"; and

(B) by striking "both buses capable of operating on alcohol and buses capable of operating on natural gas" and inserting in lieu thereof "each of the various types of alternative fuel buses";

42 USC 6374c.

(2) in section 400DD(d), by striking "alcohols, natural gas, and other potential alternative motor" and inserting in lieu thereof "alternative"; and

(3) in section 400DD(d) and (e), by striking "motor" each place it appears.

SEC. 403. ALTERNATIVE MOTOR FUELS AMENDMENTS.

Title V of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2001 et seq.) is amended—

15 USC 2001.

(1) in section 501(1), by striking "alcohol or natural gas" and inserting in lieu thereof "alternative fuel";

15 USC 2002.

(2) in section 502(e)—

(A) by striking "alcohol powered automobiles or natural gas powered" and inserting in lieu thereof "dedicated"; and

(B) by striking "energy automobiles and natural gas dual energy" and inserting in lieu thereof "fueled";

15 USC 2006.

(3) in section 506(a)(4)—

(A) in subparagraph (A)—

(i) by striking "alcohol powered automobiles or natural gas powered" and inserting in lieu thereof "dedicated"; and

(ii) by striking "alcohol or natural gas, as the case may be" and inserting in lieu thereof "alternative fuels"; and

(B) in subparagraph (B)—

(i) by striking "energy automobiles or natural gas dual energy" and inserting in lieu thereof "fueled"; and

(ii) by striking "energy automobile or natural gas dual energy automobile, as the case may be" and inserting in lieu thereof "fueled automobile"; and

(4) in section 506(b)(3)—

(A) in subparagraph (A)—

(i) by striking "energy automobiles and natural gas dual energy" and inserting in lieu thereof "fueled";

(ii) by striking "alcohol or natural gas, as the case may be" and inserting in lieu thereof "alternative fuels" in clause (i); and

(iii) by striking "alcohol or natural gas, as the case may be" and inserting in lieu thereof "alternative fuels" in clause (ii); and

(B) in subparagraph (B)—

(i) by striking "dual energy" and inserting in lieu thereof "dual fueled"; and

(ii) by striking "alcohol" and inserting in lieu thereof "alternative fuels" in clauses (i) and (ii); and

15 USC 2013.

(5) in section 513—

(A) in subsection (a)—

(i) by striking "ALCOHOL POWERED" and inserting in lieu thereof "DEDICATED";

(ii) by striking "If" and inserting in lieu thereof "Except as provided in subsection (c) or in section 503(a)(3), if";

(iii) by striking "alcohol powered" and inserting in lieu thereof "dedicated";

(iv) by striking "content of the alcohol" and inserting in lieu thereof "content of the alternative fuel"; and

(v) by striking "gallon of alcohol" and inserting in lieu thereof "gallon of a liquid alternative fuel"; (B) in subsection (b)—

(i) by striking "ENERGY" and inserting in lieu thereof "FUELED";

(ii) by striking "If" and inserting in lieu thereof "Except as provided in subsection (d) or in section 503(a)(3), if";

(iii) by striking "energy" and inserting in lieu thereof "fueled"; and

(iv) by striking "alcohol" and inserting in lieu thereof "alternative fuel" in paragraph (2);

(C) in subsection (c)—

(i) by striking "NATURAL GAS POWERED" and inserting in lieu thereof "GASEOUS FUEL DEDICATED";

(ii) by striking "powered" and inserting in lieu thereof "dedicated";

(iii) by striking "natural gas" each place it appears in the first sentence and inserting in lieu thereof "gaseous fuel"; and

(iv) by adding at the end the following new sentence: "For purposes of this section, the Secretary shall determine the appropriate gallons equivalent measurement for gaseous fuels other than natural gas, and a gallon equivalent of such gaseous fuel shall be considered to have a fuel content of 15 one-hundredths of a gallon of fuel.";

(D) in subsection (d)—

(i) by striking "NATURAL GAS DUAL ENERGY" and inserting in lieu thereof "GASEOUS FUEL DUAL FUELED";

(ii) by striking "dual energy" and inserting in lieu thereof "dual fueled"; and

(iii) by striking "natural gas" each place it appears and inserting in lieu thereof "gaseous fuel";

(E) in subsection (e), by striking "alcohol powered automobile, dual energy automobile, natural gas powered automobile, or natural gas dual energy" and inserting in lieu thereof "dedicated automobile or dual fueled";

(F) in subsection (f)(2)(A)(i), by striking "alcohol powered automobiles, natural gas powered automobiles," and inserting in lieu thereof "alternative fueled automobiles";

(G) in subsection (g)—

(i) in paragraph (1)—

(I) by inserting ", other than electric automobiles," after "each category of automobiles" in subparagraph (A);

(II) by striking "energy automobiles and natural gas dual energy" and inserting in lieu thereof "fueled" in subparagraph (A);

(III) by inserting ", other than electric automobiles," after "each category of automobiles" in subparagraph (B);

(IV) by striking "energy automobiles and natural gas dual energy" and inserting in lieu thereof "fueled" in subparagraph (B);

(V) by striking "energy automobiles and natural gas dual energy" and inserting in lieu thereof "fueled" both places it appears in subparagraph (C); and

(VI) by striking "energy automobile or natural gas dual energy" and inserting in lieu thereof "fueled" in subparagraph (C); and
(ii) in paragraph (2)—

(I) by striking "energy passenger automobiles or natural gas dual energy" and inserting in lieu thereof "fueled" in subparagraph (A);

(II) by striking "alcohol powered automobiles or natural gas powered" and inserting in lieu thereof "dedicated" in subparagraph (B); and

(III) by striking "energy automobiles and natural gas dual energy" and inserting in lieu thereof "fueled" in subparagraph (B);

(H) in subsection (h)(1)—

(i) by striking subparagraphs (D) and (E) and redesignating subparagraph (C) as subparagraph (D);

(ii) by striking subparagraphs (A) and (B) and inserting in lieu thereof the following new subparagraphs:

"(A) the term 'alternative fuel' means methanol, denatured ethanol, and other alcohols; mixtures containing 85 percent or more (or such other percentage, but not less than 70 percent, as determined by the Secretary, by rule, to provide for requirements relating to cold start, safety, or vehicle functions) by volume of methanol, denatured ethanol, and other alcohols with gasoline or other fuels; natural gas; liquefied petroleum gas; hydrogen; coal derived liquid fuels; fuels (other than alcohol) derived from biological materials; electricity (including electricity from solar energy); and any other fuel the Secretary determines, by rule, is substantially not petroleum and would yield substantial energy security benefits and substantial environmental benefits;

"(B) the term 'alternative fueled automobile' means an automobile that—

"(i) is a dedicated automobile; or

"(ii) is a dual fueled automobile;

"(C) the term 'dedicated automobile' means an automobile that operates solely on alternative fuels; and"; and

(iii) in subparagraph (D), as so redesignated by

clause (i) of this subparagraph—

(I) by striking "dual energy" and inserting in lieu thereof "dual fueled";

(II) by striking "alcohol" and inserting in lieu thereof "alternative fuel" in clauses (i), (ii), and (iii);

(III) by inserting "in the case of an automobile capable of operating on a mixture of an alternative fuel and gasoline or diesel fuel," before "which, for model years" in clause (iii); and

(IV) by striking the semicolon at the end of clause (iv) and inserting in lieu thereof a period; and

(I) in subsection (h)(2)—

(i) by striking "paragraphs (1)(C) and (D)" and inserting in lieu thereof "paragraph (1)(D)" in subparagraph (A);

(ii) by striking "energy automobiles when operating on alcohol, and by natural gas dual energy automobiles when operating on natural gas" and inserting in lieu thereof "fueled automobiles when operating on alternative fuels" in subparagraph (A);

(iii) by striking "energy automobiles or natural gas dual energy" and inserting in lieu thereof "fueled" both places it appears in subparagraph (A);

(iv) by striking "energy automobiles and natural gas dual energy" and inserting in lieu thereof "fueled" in subparagraph (A);

(v) by striking "energy" and inserting in lieu thereof "fueled" each place it appears in subparagraphs (B) and (C); and

(vi) by inserting "other than electric automobiles" after "automobiles" each place it appears in subparagraphs (B) and (C).

SEC. 404. VEHICULAR NATURAL GAS JURISDICTION.

(a) NATURAL GAS ACT AMENDMENTS.—(1) Section 1 of the Natural Gas Act (15 U.S.C. 717) is amended by inserting after subsection (c) the following new subsection:

"(d) The provisions of this Act shall not apply to any person solely by reason of, or with respect to, any sale or transportation of vehicular natural gas if such person is—

"(1) not otherwise a natural-gas company; or

"(2) subject primarily to regulation by a State commission, whether or not such State commission has, or is exercising, jurisdiction over the sale, sale for resale, or transportation of vehicular natural gas."

(2) Section 2 of the Natural Gas Act (15 U.S.C. 717a) is amended by inserting after paragraph (9) the following new paragraph:

"(10) 'Vehicular natural gas' means natural gas that is ultimately used as a fuel in a self-propelled vehicle."

(b) STATE LAWS AND REGULATIONS.—The transportation or sale of natural gas by any person who is not otherwise a public utility, within the meaning of State law—

(1) in closed containers; or

(2) otherwise to any person for use by such person as a fuel in a self-propelled vehicle, shall not be considered to be a transportation or sale of natural gas within the meaning of any State law, regulation, or order

EXECUTIVE ORDERS

No. 13031

(b) inserting “, as well as section 573 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994 (Public Law 103-87), section 563 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1995 (Public Law 103-306), section 552 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996 (Public Law 104-107), and similar provisions of law” after “Act”.

Sec. 2. Section 1 of Executive Order 11958, as amended, is further amended by

(a) redesignating subsections (n) through (r) as subsections (o) through (s), respectively; and

(b) inserting the following after subsection (m): “(n) Those under Section 40A of the Act, as added by the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132), to the Secretary of State.”

Sec. 3. Section 1(a)(2) of Executive Order 12884¹ is amended by

(a) deleting “and” before “(3)”;

(b) inserting “, and (5)” after “(3)”.

William Clinton

THE WHITE HOUSE,
December 12, 1996.

1. 22 U.S.C.A. § 5812 nt.

Executive Order 13031 of December 13, 1996

Federal Alternative Fueled Vehicle Leadership

61 F.R. 66529

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Energy Policy and Conservation Act, as amended (42 U.S.C. 6201 *et seq.*), the Energy Policy Act of 1992 (Public Law 102-486) (“the Act”), and section 301 of title 3, United States Code, and with the knowledge that the use of alternative fueled motor vehicles will, in many applications, reduce the Nation’s dependence on oil, and may create jobs by providing an economic stimulus for domestic industry, and may improve the Nation’s air quality by reducing pollutants in the atmosphere, it is hereby ordered as follows:

Section 1. Federal Leadership and Goals. (a) The purpose of this order is to ensure that the Federal Government exercise leadership in the use of alternative fueled vehicles (AFVs). To that end, each Federal agency shall develop and implement aggressive plans to fulfill the alternative fueled vehicle acquisition requirements established by the Act. The Act generally

EXECUTIVE ORDERS

No. 13031

requires that, of the vehicles acquired by each agency for its fleets, subject to certain conditions specified in section 303(b)(1) of the Act, 25 percent should be AFVs in fiscal year (FY) 1996, 33 percent in FY 1997, 50 percent in FY 1998, and 75 percent in FY 1999 and thereafter. These requirements apply to all agencies, regardless of whether they lease vehicles from the General Services Administration (GSA) or acquire them elsewhere. That section also defines which Federal agency vehicles are covered by the AFV acquisition requirements; this order applies to the same vehicles, which are primarily general-use vehicles located in metropolitan statistical areas with populations of 250,000 or more.

(b) To the extent practicable, agencies shall use alternative fuels in all vehicles capable of using them. Agencies shall continue to work together in interagency committees recommended by the Federal Fleet Conversion Task Force established by Executive Order 12844 of April 21, 1993, to coordinate their vehicle acquisitions and placement.

Sec. 2. Submission of Agency Plans and Reports on Statutory Compliance.

(a) Sixty (60) days after the date of this Executive order, and annually thereafter as part of its budget submission to the Director of the Office of Management and Budget, each agency shall submit a report on its compliance with sections 303 and 304 of the Act. A copy of the report shall also be submitted to the Secretary of Energy and to the Administrator of General Services. The report shall state whether the agency is in compliance with the Act, and substantiate that statement with quantitative data including numbers and types of vehicles acquired and the level of their use. At a minimum, the report shall indicate the number of vehicles acquired or converted for each fuel type and vehicle class, and the total number of vehicles of each fuel type operated by the agency. The Director of the Office of Management and Budget shall issue further reporting guidance as necessary.

(b) If an agency has failed to meet the statutory requirements, it shall include in its report an explanation for such failure and a plan, consistent with the agency's current and requested budgets, for achieving compliance with the Act. The plan shall include alternative sources of suitable AFVs if the agency's primary vehicle supplier is unable to meet the AFV requirements.

(c) The Secretary of the Department of Energy and the Administrator of General Services shall cooperatively analyze the agency AFV reports and acquisition plans, and shall submit jointly a summary report to the Director of the Office of Management and Budget.

Sec. 3. Exceptions for Law-Enforcement, Emergency, and National Defense Vehicles.

Section 303 of the Act allows exemptions to the acquisition requirements for law-enforcement, emergency, and vehicles acquired and used for military purposes that the Secretary of Defense has certified must be exempt for national security reasons. Law enforcement vehicles shall include vehicles used for protective activities. Each agency that acquires or utilizes any such vehicles shall include in its report an explanation of why an exemption is claimed with respect to such vehicles.

Sec. 4. Fulfilling the Acquisition Requirement.

(a) Agencies may acquire alternative fueled vehicles to meet the requirements of this order through lease from GSA, acquisition of original equipment manufacturer models, commercial lease, conversion of conventionally fueled vehicles, or any com-

EXECUTIVE ORDERS

No. 13031

mination of these approaches. All vehicles, including those converted for alternative fuel use, shall comply with all applicable Federal and State emissions and safety standards.

(b) Based on its own plans and the plans and reports submitted by other agencies, the Administrator of General Services shall provide planning information to potential AFV suppliers to assist in production planning. After consulting with AFV suppliers, the Administrator of General Services shall provide to Federal agencies information on the production plans of AFV suppliers well in advance of budget and ordering cycles.

(c) As required by section 305 of the Act, the Secretary of Energy, in cooperation with the Administrator of General Services, shall continue to provide technical assistance to other Federal agencies that acquire alternative fueled vehicles and shall facilitate the coordination of the Federal Government's alternative fueled vehicle program.

Sec. 5. *Vehicle Reporting Credits.* The gains in air quality and energy security that this order seeks to achieve will be even larger if medium- and heavy-duty vehicles are operated on alternative fuels, and if "zero-emissions vehicles" (ZEVs) are used. Therefore, for the purposes of this order, agencies may acquire medium- or heavy-duty dedicated alternative fueled vehicles or ZEVs to meet their AFV acquisition requirements, and they shall be given credits for compliance with their AFV targets as follows. Each medium-duty and ZEV shall count the same as two light-duty AFVs, and each dedicated alternative fueled heavy-duty vehicle shall count as three light-duty AFVs. The ZEV credits may be combined with vehicle size credits. The Director of the Office of Management and Budget, in consultation with the Secretary of Energy, shall issue detailed guidance on the classification and reporting of medium-duty, heavy-duty, and ZEVs. In the reports mandated in section 2 of this order, medium- and heavy-duty AFVs and ZEVs shall be identified separately from light-duty vehicles.

Sec. 6. *Funding Alternative Fueled Vehicle Acquisition.* (a) The Department of Energy will no longer request or require specific appropriations to fund the incremental costs of alternative fueled vehicles, including any incremental costs associated with acquisition and disposal, for other agencies. Agencies shall formulate their compliance plans based on existing and requested funds, but shall not be exempt from the requirements of the Act or this order due to limited appropriations.

(b) An exception regarding funding assistance shall be made for electric vehicles, which are in an earlier stage of development than other alternative fueled vehicles. The Secretary of Energy shall establish a program beginning in FY 1997 to provide partial funding assistance for agency purchases of electric vehicles. Up to \$10,000 or one-half the incremental cost over a comparable gasoline-powered vehicle, whichever is less, may be provided as funding assistance for each electric vehicle, subject to the availability of funds.

Sec. 7. *Agency Cooperation with Stakeholders on Alternative Fueled Vehicle Placement and Refueling Capabilities.* The Secretary of Energy shall work with agencies procuring AFVs to coordinate the placement of their vehicles with the placement of similar vehicles by nonfederal alternative fuel stakeholders. Federal planning and acquisition efforts shall be coordinated with the efforts of the Department of Energy's "Clean Cities" participants, private industry fuel suppliers, and fleet operators, and State and local governments to ensure that adequate private sector refueling capabilities exist or will

EXECUTIVE ORDERS

No. 13031

exist wherever Federal fleet alternative fueled vehicles are located. Each agency's fleet managers shall work with appropriate organizations at their respective locations, whether in a "Clean Cities" location or not, on initiatives to promote alternative fueled vehicle use and expansion of refueling infrastructure.

Sec. 8. Definitions. For the purpose of this order, the terms "agency," "alternative fueled vehicle," and "alternative fuel" have the same meaning given such terms in sections 151 and 301 of the Act.

Sec. 9. Executive Order 12844. This order supersedes Executive Order 12844.

Sec. 10. Judicial Review. This order is not intended to, and does not, create any right or benefit or trust responsibility, substantive or procedural, enforceable by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

William Clinton

THE WHITE HOUSE,
December 13, 1996.

1. 42 U.S.C.A. § 13212 nt.

Executive Order 13032 of December 26, 1996

Further Amendment to Executive Order No. 12964

61 F.R. 68985

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Federal Advisory Committee Act, as amended (5 U.S.C. App.), and to facilitate the work of the Commission on United States-Pacific Trade and Investment Policy, it is hereby ordered that Executive Order 12964 of June 21, 1995, as amended by Executive Order 12987 of January 31, 1996, is further amended in section 2 by deleting in the first sentence "December 31, 1996" and inserting "February 28, 1997" in lieu thereof.

William Clinton

THE WHITE HOUSE,
December 26, 1996.

1. 1996 U.S. Code Cong. & Adm. News Bd. Vol., page B5.

		Acquisitions				**Total
		Converted	Leased	Purchased	Total	Fleet
1	Total # of vehicles acquired	xxxxxx	10		10	47
2	Exempt as law-enforcement or national security vehicles	xxxxxx	0		0	
3	Exempt due to geographic placement	xxxxxx	0		0	4
4	EPA Act "covered fleet" vehicles [(line 1 - (line 2 + line 3))] Do not double-count vehicles in lines 2 & 3	xxxxxx	10		10	43
Light Duty AFVs						
5	E85 flex-fuel vehicles					
6	Dedicated ethanol vehicles					
7	M85 flex-fuel vehicles					1
8	Dedicated methanol vehicles					
9	CNG dual-fuel vehicles		1		1	3
10	CNG dedicated vehicles		2		2	2
11	LNG dual-fuel vehicles					
12	LNG dedicated vehicles					
13	Propane/LPG dual-fuel vehicles					
14	Propane/LPG dedicated vehicles					
15	Dimethyl ether dedicated vehicles					
16	Electric vehicles (dedicated) -- ZEV					
17	Hydrogen dedicated vehicles - ZEV					
18	Subtotal of light-duty vehicles		3		3	45
Credit for Medium- and Heavy-Duty AFVs						
19	# of medium-duty vehicles * 2					2
20	# of heavy-duty vehicles * 3					
Extra Credit for Zero Emission Vehicles (Hydrogen and Electric Acquisitions)						
21	# of ZEVs * 1					
22	Total credits provided (line 19 + line 20 + line 21)					
23	Total AFVs and credits (line 18 + line 22)					3
24	AFV percentage of EPA Act covered fleet acquisitions (line 23 + line 4 * 100)					30%

**Total fleet should include new acquisitions and existing vehicles for each Category, (Line 1: total LDV fleet)

Submitting official: Cynthia T. Marcy
 Address: Mailstop O-2 G11, Washington, DC 20555
 Phone: 301-415-3133

Date: 9/28/98
 e-mail: CTM@NRC.GOV

		Acquisitions				**Total
		Converted	Leased	Purchased	Total	Fleet
1	Total # of vehicles acquired	xxxxxx	3		3	43
2	Exempt as law-enforcement or national security vehicles	xxxxxx	0		0	0
3	Exempt due to geographic placement	xxxxxx	0		0	4
4	EPAct "covered fleet" vehicles [(line 1 - (line 2 + line 3)) Do not double-count vehicles in lines 2 & 3]	xxxxxx	3		3	39
Light Duty AFVs						
5	E85 flex-fuel vehicles					
6	Dedicated ethanol vehicles					
7	M85 flex-fuel vehicles					
8	Dedicated methanol vehicles					
9	CNG dual-fuel vehicles		1			4
10	CNG dedicated vehicles					1
11	LNG dual-fuel vehicles					
12	LNG dedicated vehicles					
13	Propane/LPG dual-fuel vehicles					
14	Propane/LPG dedicated vehicles					
15	Dimethyl ether dedicated vehicles					
16	Electric vehicles (dedicated) -- ZEV					
17	Hydrogen dedicated vehicles - ZEV					
18	Subtotal of light-duty vehicles		1			42
Credit for Medium- and Heavy-Duty AFVs						
19	# of medium-duty vehicles * 2					1
20	# of heavy-duty vehicles * 3					
Extra Credit for Zero Emission Vehicles (Hydrogen and Electric Acquisitions)						
21	# of ZEVs * 1					
22	Total credits provided (line 19 + line 20 + line 21)					
23	Total AFVs and credits (line 18 + line 22)					1
24	AFV percentage of EPAct covered fleet acquisitions (line 23 + line 4 * 100)					33%

**Total fleet should include new acquisitions and existing vehicles for each Category, (Line 1: total LDV fleet)

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		Acquisitions				**Total
		Converted	Leased	Purchased	Total	Fleet
1	Total # of vehicles acquired	xxxxxx	21		21	40
2	Exempt as law-enforcement or national security vehicles	xxxxxx	0		0	0
3	Exempt due to geographic placement	xxxxxx	2		2	4
4	EPA Act "covered fleet" vehicles [(line 1 - (line 2 + line 3)) Do not double-count vehicles in lines 2 & 3]	xxxxxx	19		19	36
Light Duty AFVs						
5	E85 flex-fuel vehicles		3		3	3
6	Dedicated ethanol vehicles					
7	M85 flex-fuel vehicles					
8	Dedicated methanol vehicles					
9	CNG dual-fuel vehicles		10		10	10
10	CNG dedicated vehicles		1		1	1
11	LNG dual-fuel vehicles					
12	LNG dedicated vehicles					
13	Propane/LPG dual-fuel vehicles					
14	Propane/LPG dedicated vehicles					
15	Dimethyl ether dedicated vehicles					
16	Electric vehicles (dedicated) -- ZEV					
17	Hydrogen dedicated vehicles - ZEV					
18	Subtotal of light-duty vehicles		14		14	35
Credit for Medium- and Heavy-Duty AFVs						
19	# of medium-duty vehicles * 2					1
20	# of heavy-duty vehicles * 3					
Extra Credit for Zero Emission Vehicles (Hydrogen and Electric Acquisitions)						
21	# of ZEVs * 1					
22	Total credits provided (line 19 + line 20 + line 21)					
23	Total AFVs and credits (line 18 + line 22)					14
24	AFV percentage of EPA Act covered fleet acquisitions (line 23 ÷ line 4 * 100)					73%

**Total fleet should include new acquisitions and existing vehicles for each Category, (Line 1: total LDV fleet)

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		Acquisitions				**Total
		Converted	Leased	Purchased	Total	Fleet
1	Total # of vehicles acquired	xxxxxx	5		5	40
2	Exempt as law-enforcement or national security vehicles	xxxxxx	0		0	0
3	Exempt due to geographic placement	xxxxxx	0		0	4
4	EPA Act "covered fleet" vehicles [(line 1 - (line 2 + line 3)) Do not double-count vehicles in lines 2 & 3]	xxxxxx	5		5	36
Light Duty AFVs						
5	E85 flex-fuel vehicles					3
6	Dedicated ethanol vehicles					
7	M85 flex-fuel vehicles					
8	Dedicated methanol vehicles					
9	CNG dual-fuel vehicles		4		4	14
10	CNG dedicated vehicles					1
11	LNG dual-fuel vehicles					
12	LNG dedicated vehicles					
13	Propane/LPG dual-fuel vehicles					
14	Propane/LPG dedicated vehicles					
15	Dimethyl ether dedicated vehicles					
16	Electric vehicles (dedicated) -- ZEV					
17	Hydrogen dedicated vehicles - ZEV					
18	Subtotal of light-duty vehicles		4		4	35
Credit for Medium- and Heavy-Duty AFVs						
19	# of medium-duty vehicles * 2					1
20	# of heavy-duty vehicles * 3					
Extra Credit for Zero Emission Vehicles (Hydrogen and Electric Acquisitions)						
21	# of ZEVs * 1					
22	Total credits provided (line 19 + line 20 + line 21)					
23	Total AFVs and credits (line 18 + line 22)					4
24	AFV percentage of EPA Act covered fleet acquisitions (line 23 + line 4 * 100)					80%

**Total fleet should include new acquisitions and existing vehicles for each Category, (Line 1: total LDV fleet)

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