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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

SECOND EXTRAORDINARY SESSION, 1991

ENROLLED

Committee Substitute for
SENATE BILL NO. 2

(By Senators Burdette, Mr. President,
and Senator Boley, By Request
of the Executive.)

PASSED October 9, 1991

In Effect from Passage

ENROLLED
COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 2

(BY SENATORS BURDETTE, MR. PRESIDENT, AND BOLEY,
BY REQUEST OF THE EXECUTIVE)

[Passed October 9, 1991; to take effect from passage.]

AN ACT to amend chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article two-d, relating to permitting the public service commission to establish a program to encourage the use of natural gas, methanol as derived from coal, and electricity in new demonstration technologies, including alternative fuel vehicles; and providing that the sale of alternative fuels by nonutilities for certain purposes not be regulated by the public service commission.

Be it enacted by the Legislature of West Virginia:

That chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article two-d, to read as follows:

ARTICLE 2D. ALTERNATIVE FUEL INITIATIVES.

§24-2D-1. Legislative findings.

1 The Legislature finds that there is growing concern

2 about the environment and our state's and nation's
3 dependence on foreign oil.

4 The Legislature further finds that this state has an
5 abundant supply of alternative fuels and an extensive
6 supply network, and that by encouraging the use of
7 alternative fuels in new demonstration technologies
8 such as alternative fuel vehicles, the state will be
9 reducing dependence on foreign oil and promoting
10 improved air quality. Accordingly, the Legislature
11 finds that it is in the public interest to have the public
12 service commission develop and implement programs
13 designed to encourage the use of West Virginia alter-
14 native fuels as vehicle fuels and in other new demon-
15 stration technologies.

**§24-2D-2. Incentives for use of alternative fuels in new
technologies.**

1 (a) For purposes of this section, "alternative fuel
2 vehicles" shall mean motor vehicles whose primary
3 source of fuel is natural gas, methanol, and/or
4 electricity.

5 (b) Upon a finding that it is in the public interest of
6 this state to authorize the same, as provided in section
7 one, article one of this chapter, the public service
8 commission shall authorize ratemaking allowances for
9 public utilities to encourage the use of alternative fuel
10 in new demonstration technologies, including alterna-
11 tive fuel vehicles, which provide incentives to encour-
12 age investments in such technologies.

**§24-2D-3. Limitation on commission jurisdiction over sales
by nonutilities of alternative fuel for certain
purposes.**

1 Notwithstanding any provision of this chapter to the
2 contrary, the public service commission shall have no
3 jurisdiction over the ultimate sale by nonutilities of
4 alternative fuel to be utilized solely as fuel for motor
5 vehicles.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Somer Heck
.....
Chairman Senate Committee

Delores St. Cook
.....
Vice-Chairman House Committee

Originated in the Senate.

To take effect from passage.

Nasrett E. Holmes
.....
Clerk of the Senate

Donald J. Kopp
.....
Clerk of the House of Delegates

Will Hunter
.....
President of the Senate

James P. ...
.....
Speaker House of Delegates

The within is approved ..this the *11th* ..
day of *October* .., 1991.

Yaston Caperton
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 10/11/91

Time 9:22 AM