



Standard Compliance

Guidelines to Help State and Alternative Fuel Provider Fleets Meet Their Energy Policy Act Requirements

10 CFR Part 490

Table of Contents

Preface	1
Section 1 — State Fleets	3
1-1 Determining Whether Your State Fleets Are Covered by the EAct Alternative Fuel Transportation Program	3
Decision Tree for State Government Fleets	4
1-2 Deciding Whether to Comply Statewide or As Individual Fleets	5
1-3 Reporting Changes in Fleet Status	5
1-4 State Acquisition Requirements	5
Calculating the Number of Alternative Fuel Vehicles That Covered State Fleets Must Acquire	5
1-5 Identifying Vehicles to Meet Your Fleet’s AFV-Acquisition Requirements	6
Counting Light-Duty Vehicles Converted to Alternative Fuel Vehicles That Your Fleet Already Owns	7
Date of Vehicle Acquisition	7
Determining the Differences Between Light-Duty Alternative Fuel Vehicles	7
Choosing Appropriate Alternative Fuels to Satisfy AFV-Acquisition Requirements	7
Converting Vehicles to Alternative Fuel Vehicles to Satisfy AFV-Acquisition Requirements	8
Acquiring Excluded Vehicles as Alternative Fuel Vehicles to Satisfy AFV-Acquisition Requirements	8
Acquiring Medium-Duty or Heavy-Duty Alternative Fuel Vehicles to Satisfy AFV-Acquisition Requirements	8
What Does Not Count Toward Meeting EAct Requirements	8
1-6 Exemptions for States	8
Requesting an Exemption for Unavailability of Suitable Alternative Fuels or Alternative Fuel Vehicles	9
Requesting an Exemption for Financial Hardship	9
Submitting Exemption Requests	9
1-7 State Reporting Requirements	10
Filing an Annual Compliance Report	10
1-8 Alternative State Plans	10
Writing an Optional Alternative State Plan	11
Monitoring the Implementation of Alternative State Plans	11
Additional Information	12
Section 2 — Alternative Fuel Providers	13
2-1 Defining an Alternative Fuel Provider	13
Exceptions	13
Determining Whether an “Alternative Fuel Provider” Is a “Covered Person” Who Must Acquire Alternative Fuel Vehicles ..	13
Decision Tree for Alternative Fuel Provider Fleets	15
2-2 Alternative Fuel Provider AFV-Acquisition Requirements	16
Calculating the Number of Alternative Fuel Vehicles That Covered Alternative Fuel Provider Fleets Must Acquire	16
2-3 Identifying Vehicles to Meet Your Fleet’s AFV-Acquisition Requirements	17
Counting Light-Duty Vehicles Converted to Alternative Fuel Vehicles That Your Fleet Already Owns	18
Date of Vehicle Acquisition	18
Determining the Differences Between Light-Duty Alternative Fuel Vehicles	18

Table of Contents *(cont.)*

Acquiring Excluded Vehicles as Alternative Fuel Vehicles to Satisfy AFV-Acquisition Requirements	18
Acquiring Medium-Duty or Heavy-Duty Alternative Fuel Vehicles to Satisfy AFV-Acquisition Requirements	18
Choosing Appropriate Alternative Fuels to Satisfy AFV-Acquisition Requirements	18
Converting Vehicles to Alternative Fuel Vehicles to Satisfy AFV-Acquisition Requirements	19
What Does Not Count Toward Meeting EPCRA Requirements	19
2-4 Addressing Mergers, Acquisitions, and Divestitures	19
2-5 Exemptions from Acquisition Requirements for Alternative Fuel Providers	19
Requesting Exemptions for Unavailability of Suitable Alternative Fuels or Alternative Fuel Vehicles	20
Submitting Exemption Requests	20
2-6 Alternative Fuel Provider Annual Reporting Requirements	21
Filing an Annual Compliance Report	21
Section 3 – Alternative Fuel Vehicle Credit Program	22
3-1 Earning Credits Under the Program	22
3-2 Transferring Earned Credits	22
Section 4 – Requests for Interpretive Rulings and Rulemaking Petitions	23
Section 5 – Enforcement	23
Appendix A – Glossary of Terms and Acronyms	24
Appendix B – Metropolitan Statistical Areas and Consolidated Metropolitan Statistical Areas with 1980 Populations of 250,000 or More (from 10 CFR 490)	28
Appendix C – Additional Sources of Information on Alternative Fuels, Alternative Fuel Vehicles, and the U.S. Department of Energy’s Alternative Fuel Transportation Program	30

Preface

Federal legislation looks to vehicle fleets that government agencies and other specified entities operate to serve as launching pads of new technologies in leading the nation's transition to petroleum-fuel substitutes and advanced transportation technologies.

The Energy Policy Act (EPAcT) of 1992 called on the U.S. Department of Energy (DOE) to expand research and development in the transportation sector and to create programs for accelerating the introduction of alternative fuel vehicles (AFVs) to replace conventional models fueled by gasoline. EPAcT 1992 and subsequent amendments in the Energy Conservation and Recovery Act of 1998 (ECRA), EPAcT 2005, and the Energy Independence and Security Act (EISA) of 2007 established additional compliance options and petroleum-use-reduction measures. Taken together, these requirements are intended to create a core demand for alternative fuels and advanced vehicles, stimulating markets for these technologies while reducing petroleum use in regulated fleets.

The DOE Alternative Fuel Transportation Program, as codified in 10 CFR Part 490, implements the provisions in sections 501, 507(o), 508, 511, 512, and 513 of EPAcT. These sections:

- Call for DOE to promulgate rulemakings requiring state government fleets and alternative fuel provider fleets to acquire AFVs in certain percentages;
- Set forth a credit program to reward those who purchase or lease AFVs either earlier than required or in greater numbers than required;
- Call for DOE to establish regulations allowing fleets to reduce petroleum use in lieu of acquiring vehicles;
- Establish reporting procedures;
- Implement exemption provisions; and
- Set forth enforcement procedures and provisions.

State fleet managers and alternative fuel providers must determine whether they are covered by these provisions and, if covered, must take steps to be in compliance. Covered fleets have two options to comply with EPAcT requirements: Standard Compliance (i.e., vehicle acquisitions) or Alternative Compliance (i.e., petroleum-use reductions in lieu of vehicle

What Is the Alternative Fuel Transportation Program?

DOE established the Alternative Fuel Transportation Program to implement statutorily imposed AFV-acquisition requirements for certain state government and alternative fuel provider vehicle fleets. The program sets forth the AFV-acquisition requirements under Standard Compliance; interprets to whom and to what extent the requirements apply; provides procedures for exemptions and administrative remedies; and sets forth a program of marketable credits that rewards fleets that voluntarily acquire AFVs in excess of mandated requirements or that acquire the AFVs before the requirements take effect, and that can be used to demonstrate compliance with the requirements. The program became effective April 15, 1996.

acquisitions). This guidebook addresses the primary requirements of the Alternative Fuel Transportation Program for states and alternative fuel providers complying via the Standard Compliance option. It also addresses the topics that covered fleets ask about most frequently.

Alternative Compliance

Guidance regarding the Alternative Compliance option can be found at www.eere.energy.gov/vehiclesandfuels/epact/alt_comp_resources.html.

Section 1 covers state fleets. Section 2 covers alternative fuel provider fleets. Sections 3 through 5 cover credit programs, interpretive rulings, and enforcement, and are of interest to all covered fleets. The three appendices are useful for all covered fleets. Appendix A is a comprehensive glossary. Appendix B lists Metropolitan Statistical Areas and Consolidated Metropolitan Statistical Areas (MSAs/CMSAs), which are used to determine which fleets are covered under EPAcT. Appendix C provides additional information about alternative fuels, AFVs, and the Alternative Fuel Transportation Program.

Questions can be directed to DOE by mail, email, or telephone. DOE contact information is provided throughout the document and in Appendix C. This guidebook is only a summary of the program. Should questions arise concerning the language of this publication compared with that of the regulation, the language of the regulation (10 CFR Part 490) governs.

Section 1 — State Fleets

This section helps state government and state agency fleets determine whether they are required to acquire alternative fuel vehicles (AFVs) under the Energy Policy Act (EPA) of 1992. Guidance is also provided on whether the state should report as a single entity or as individual agencies, and on the types of vehicles that qualify for compliance and credit.

1-1 Determining Whether Your State Fleets Are Covered by the EPA Alternative Fuel Transportation Program

A state government (or state agency) fleet is “covered” and must meet the EPA requirements set forth in the Alternative Fuel Transportation Program if it satisfies *all* of the following conditions.

1. It owns, operates, leases, or otherwise controls 50 or more light-duty vehicles (LDVs) (8,500-lb gross vehicle weight rating or less) within the United States that are *not* on the list of **excluded vehicles** found in 10 CFR Subpart A, Section 490.3 (see the list of excluded vehicles in the sidebar).
2. At least 20 of those LDVs are used primarily within any single Metropolitan Statistical Area or Consolidated Metropolitan Statistical Area (see Appendix B).
3. Those same 20 LDVs are centrally fueled or capable of being centrally fueled. LDVs are “centrally fueled” if they are or could be refueled at least 75% of the time at a location that is owned, operated, or controlled by any fleet or under contract with that fleet for refueling purposes. This issue is discussed in detail in the preamble to the final rulemaking establishing this program (published in the *Federal Register*, Volume 61, Number 51, pages 10,627–10,628 (1996) and available at www.eere.energy.gov/vehiclesandfuels/epact/pdfs/fed_reg.pdf) (see the definition of “centrally fueled” in Appendix A of this document).

Examples of agencies that the U.S. Department of Energy (DOE) expects to be classified as state agencies are, among others, departments, offices, and divisions of state government; state colleges and universities; and port authorities.

Excluded Vehicles (as defined by EPA)

The following vehicles are not to be counted in determining whether a fleet is covered by EPA requirements. To qualify as an excluded vehicle, the vehicle in question must qualify as an excluded vehicle for the entire time it is part of the fleet.

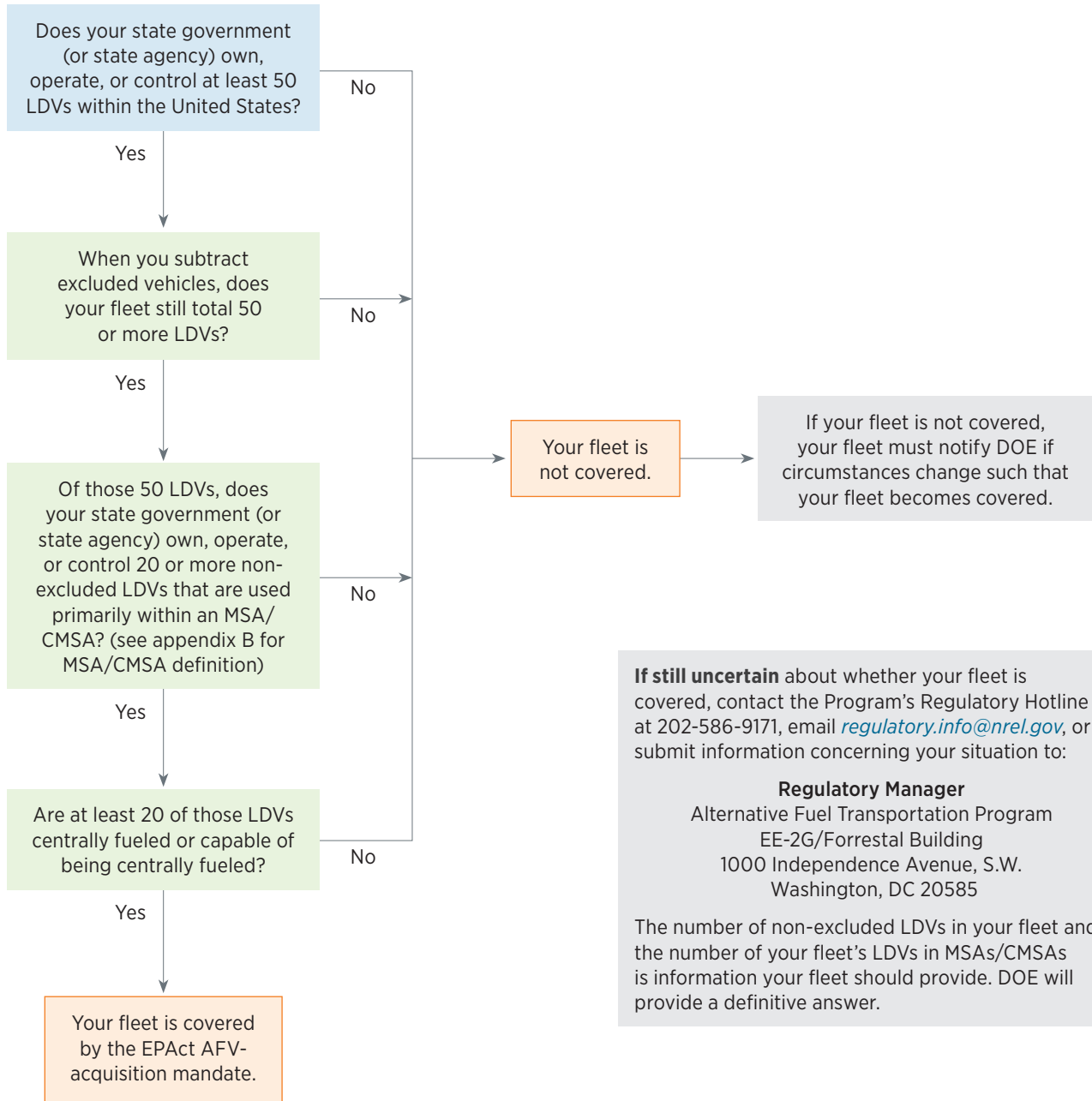
- Emergency motor vehicles
- Law enforcement vehicles*
- Non-road vehicles
- Vehicles that, under normal operations, are parked at private residences when not in use**
- Vehicles used for evaluating or testing products of a motor vehicle manufacturer, including vehicles owned or held by a university for research purposes
- Vehicles owned or held by a testing laboratory or other evaluation facility solely for evaluating their performance for engineering, research and development, or quality-control reasons
- Motor vehicles acquired and used for purposes that the U.S. Secretary of Defense has certified to DOE must be exempted for national security reasons

* Administrative vehicles of law enforcement agencies are not considered law enforcement vehicles.

** A state must be able to certify to DOE that its take-home policies are consistent with DOE's policy on employee-assigned take-home vehicles.

Decision Tree for State Government Fleets

Use this decision tree to determine whether your fleet is covered. If you still are uncertain about your fleet's coverage, contact the Alternative Fuel Transportation Program staff.



1-2 Deciding Whether to Comply Statewide or As Individual Fleets

Decision makers for covered state government fleets must choose whether they should comply with AFV-acquisition requirements as a single entity or allow individual state agencies to comply separately. DOE prefers that each state carry out compliance as a whole but understands that each state is unique. Therefore, DOE allows a covered state to select from among the following options:

- Comply as one large fleet, counting the total number of non-excluded LDVs acquired by all individual agency fleets, regardless of any agency's location or fleet size;
- Allow individual state fleets or groups of two or more fleets to count their vehicles and report their compliance separately; or
- Implement a combination of the above two options, such that a state fleet might comply as a combination of several state fleets while other fleets from that state might report separately.

If a covered state allows its fleet operators to comply individually, *and* an individual fleet does not meet the fleet-size coverage requirements (size guidelines described in subsection 1-1), then that individual agency fleet is excluded from the program and from its AFV-acquisition requirements, unless it otherwise participates in an optional Alternative State Plan that the state develops. (See Subsection 1-8 of this guidebook discussing participation in an optional Alternative State Plan.)

State agencies that join together to calculate their compliance responsibilities do not have to acquire their vehicles together. They must, however, file their annual reports to DOE together as one entity/fleet.

1-3 Reporting Changes in Fleet Status

Fleet characteristics often change, and a state fleet that once was covered under EPCAct might no longer be subject to EPCAct requirements. For example, a state agency's fleet could shrink to the point that it no longer owns, operates, or controls at least 50 LDVs. Likewise, a fleet previously not covered could find itself subject to EPCAct requirements because of an increase in the size of its LDV fleet or a change in one of the qualifying areas that leads to a gain in the number of LDVs. A fleet must notify DOE at the following address when such changes occur.

Regulatory Manager

Alternative Fuel Transportation Program
EE-2G/Forrestal Building
1000 Independence Avenue, S.W.
Washington, DC 20585

Fleets are also encouraged to contact program staff about such changes via email (regulatory.info@nrel.gov) or telephone (202-586-9171).

1-4 State Acquisition Requirements

This subsection examines how many vehicles a covered state fleet must acquire to be in compliance. For purposes of the Alternative Fuel Transportation Program, the date of vehicle acquisition means the date on which the fleet has taken possession of a vehicle.

Calculating the Number of Alternative Fuel Vehicles That Covered State Fleets Must Acquire

The time period in which a covered state fleet is subject to the EPCAct requirements (as defined in 10 CFR Part 490) is referred to as the program model year, which runs from August 31 to September 1 of the following year. Fleets determine whether they are subject to the program prior to each program model year. When state fleets are subject to EPCAct requirements and acquire LDVs that are new to the fleets, 75% of the newly acquired LDVs must be AFVs. Therefore, medium-and heavy-duty vehicles and neighborhood electric vehicles or non-road AFVs are not included. The LDVs are not limited to brand-new vehicles. Those LDVs that are new to the fleet may include used vehicles (e.g., acquiring a used 1999 model-year LDV on October 15, 2009, a date that falls within program model year 2010).

The state fleet should calculate its exact fleet-acquisition requirements using the following approach.

1. Start with the number of LDVs that will be acquired for a fleet for the program model year and that are housed within listed MSAs/CMSAs.
2. Subtract any excluded vehicles.
3. Multiply the result by 75% for that model year to get the number of vehicles that must be AFVs.
4. Long-term vehicle leases and rentals (contracts longer than 120 days) qualify as LDV acquisitions and must be included in covered fleet LDV-acquisition calculations for the model year in which the lease/rental agreement begins.

5. Donated vehicles the fleet receives constitute LDV acquisitions during the model year in which they are received and must be included in covered fleet LDV-acquisition calculations.

If a covered alternative fuel provider fleet plans to acquire 105 LDVs in model year 2010, and 5 of those will be excluded vehicles, for example, then the following is the case.

Example Worksheet	
Total Planned Acquisitions in Given Model Year	105
Excluded-Vehicle Acquisitions	- 5
Total Covered Acquisitions	100
AFV-Acquisition Fraction in Same Given Model Year	× 0.75
AFV Acquisitions Required in Same Given Model Year	75*
* If the resulting AFV-acquisition number is a fraction, then fractions of 0.5 or greater are rounded up to the nearest whole number; fractions less than 0.5 are rounded down.	

Of the 105 vehicles this fleet plans to acquire, at least 75 must be AFVs to meet the fleet's EPC Act requirements.

Use the following worksheet to determine how many of your fleet's planned light-duty vehicle acquisitions must be AFVs.

Worksheet for Any Covered Fleet	
Total Planned Acquisitions in Model Year 20XX	
Excluded-Vehicle Acquisitions	-
Total Covered Acquisitions	
AFV-Acquisition Fraction	× 0.75
AFV Acquisitions Required in Model Year 20XX	

1-5 Identifying Vehicles to Meet Your Fleet's AFV-Acquisition Requirements

Having determined both that a state fleet is covered under EPC Act and the number of acquisitions that must be AFVs, the fleet manager may satisfy those AFV-acquisition requirements by one or more of the following methods.

1. Acquire (through purchase, lease, long-term rental of 120 days or longer, or donation) new LDVs capable of operating on alternative fuels that were not previously under control of the state (no matter when the vehicles were manufactured).

- Any LDV acquired by a covered state fleet that can operate on alternative fuels is counted toward the fleet's compliance requirements. This includes LDVs that are on the excluded list (e.g., emergency vehicles, law enforcement vehicles) if they are acquired as AFV models. To be counted, the LDV must not previously have been under the control of the state, no matter when the vehicle was manufactured. If your fleet acquires a medium- or heavy-duty AFV, then you also may apply this AFV toward your compliance requirements, or as additional credit if your fleet's LDV-acquisition requirements have been met.

2. Acquire (through purchase, lease, long-term rental of 120 days or longer, or donation) any after-market, converted LDV (including a demonstration model) that was not previously under control of the state (no matter when the vehicle was manufactured) and is capable of operating on alternative fuels.

- All conversions must meet the specifications in the U.S. Environmental Protection Agency Memorandum 1A (on anti-tampering) and appropriate emissions requirements.

3. Acquire (through purchase, lease, long-term rental of 120 days or longer, or donation) any used original equipment manufacturer (OEM) alternative fuel LDV (including a demonstration model) that was not previously under control of the state (no matter when it was manufactured).

4. Convert an LDV to operate on alternative fuels within 4 months after it comes under the control of the state.

5. Apply AFV credits against the fleet's AFV-acquisition requirements (see Section 3, AFV Credit Program).

6. Purchase of biodiesel for use in AFVs in blends of B20 or greater is allowed for meeting up to 50% of your fleet's annual AFV-acquisition requirements.

- Only biodiesel used in vehicles of more than 8,500 lb gross vehicle weight rating counts under Standard Compliance. One biodiesel fuel use credit will be counted as one AFV acquisition and will be awarded to fleets and covered persons for every 450 gallons of pure biodiesel fuel (B100) used in blends of at least 20% biodiesel.* (B20 fuel is 20% biodiesel and 80% standard diesel fuel by volume.) Except for biodiesel providers, biodiesel fuel use credits may account for no more than 50% of a fleet's annual AFV-acquisition requirements. Biodiesel fuel providers may satisfy up to 100% of their acquisition requirements through biodiesel fuel use credits.
- Biodiesel credits may not be banked or traded.
- No credit is given for the portion of biodiesel used in a blend of B20 or greater if the biodiesel purchased for use is consumed in a state where biodiesel is required by federal or state law.
- Please note that fleets operating under Standard Compliance should maximize their biodiesel use in blends of B20 or greater to be able to count their purchase and use of this fuel toward their compliance requirements. In most cases, fleets may use exemptions for no more than 50% of their annual acquisition requirements if they have medium-duty vehicles or heavy-duty vehicles that can access and use B20 or higher blends. Because biodiesel is increasingly more available in the United States, fleets must address their use of and capacity to use biodiesel in medium- and heavy-duty on-road vehicles when they request exemptions for more than 50% of their AFV-acquisition requirement. Fleets seeking exemptions may justify not using biodiesel only if they lack medium- or heavy-duty diesel vehicles and if they prove biodiesel fuel is not available in their area.
- More information on the use of biodiesel in the program is available at www.eere.energy.gov/vehiclesandfuels/epact/stand_comp_resources.html and www.eere.energy.gov/vehiclesandfuels/epact/statutes_regulations.html.

Counting Light-Duty Vehicles Converted to Alternative Fuel Vehicles That Your Fleet Already Owns

Your fleet may count any vehicles that it already owns or controls to satisfy AFV-acquisition requirements if the vehicles were converted to AFVs within 4 months of the date

that the fleet acquired the LDV. Vehicles acquired prior to September 1, 1996, must have been converted no later than January 1, 1997, to earn credits. Medium-duty and heavy-duty conversions also may be counted, as long as the conversion occurs within 4 months of acquisition, and as long as all light-duty AFV-acquisition requirements have been met.

Date of Vehicle Acquisition

For purposes of the Alternative Fuel Transportation Program, the date of vehicle acquisition means the date on which the fleet has taken possession of a vehicle. Note that when a covered fleet orders an LDV/AFV sufficiently early in a particular model year but—due to no fault of the fleet—does not take possession or control of the vehicle until the following model year, the fleet can count the vehicle as an LDV/AFV acquisition either in the model year in which the vehicle was ordered or the model year in which it was delivered.

Determining the Differences Between Light-Duty Alternative Fuel Vehicles

Light-duty AFVs can be classified as either dedicated, dual-fuel, flexible-fuel, or bi-fuel vehicles. EPA defines a *dual-fuel AFV* as a vehicle designed to operate on a combination of an alternative fuel and a conventional fuel. Subdivisions under dual-fuel AFVs are (1) *flexible-fuel vehicles*, which have one fuel tank and operate on an alternative fuel, a petroleum fuel, or a mixture of the two; and (2) *bi-fuel vehicles*, which have two separate fueling systems (i.e., tanks, sources), one using an alternative fuel and one using a conventional fuel, and which can operate using only one fuel at a time.

Choosing Appropriate Alternative Fuels to Satisfy AFV-Acquisition Requirements

Regardless of whether they are dedicated, dual-fuel, flexible-fuel, or bi-fuel vehicles, light-duty AFVs must be designed to operate on at least one of the fuels defined as an alternative fuel to satisfy AFV-acquisition requirements.

No fuels other than those listed in the sidebar on the next page currently are designated as alternative fuels. Reformulated gasoline and diesel fuel are not alternative fuels under EPA for any type of vehicle, and biodiesel blends do not qualify as alternative fuels for use in light-duty AFVs under EPA, unless used as B100 in a light-duty diesel vehicle. Any changes to the approved list of alternative fuels are made only by final DOE rulemaking as published in the *Federal Register*.

* Rounding of biodiesel fuel use credits is not allowed; each allocation of a biodiesel fuel use credit requires that the full 450 gallons of biodiesel be purchased for use.

Converting Vehicles to Alternative Fuel Vehicles to Satisfy AFV-Acquisition Requirements

If no OEM vehicles are available from automakers that meet the state fleet's operational requirements, then the fleet is not required to convert conventional vehicles to operate on alternative fuels. The fleet, however, could *choose* to convert vehicles to meet its AFV-acquisition requirements, according to guidelines discussed in subsection 1-6 of this document.

Alternative Fuels That Satisfy EPA Act Requirements

- 100% methanol
- Denatured ethanol and other alcohols
- Mixtures containing 85% by volume of methanol, denatured ethanol, and other alcohols with gasoline or other fuels
- Natural gas (compressed or liquefied)
- Liquefied petroleum gas (propane)
- Electricity (including electricity from solar energy)
- Hydrogen
- Coal-derived liquid fuels
- Fuels (other than alcohol) derived from biological materials, including neat or 100% biodiesel
- Three P-series blends

Acquiring Excluded Vehicles as Alternative Fuel Vehicles to Satisfy AFV-Acquisition Requirements

The AFV models of excluded vehicles (see subsection 1-1) *will* help satisfy your fleet's requirements and earn credits unless they are non-road vehicles, which are never eligible to satisfy AFV-acquisition requirements. To qualify as an excluded vehicle, the vehicle in question must qualify as an excluded vehicle for the entire time that the vehicle is in the covered fleet.

Acquiring Medium-Duty or Heavy-Duty Alternative Fuel Vehicles to Satisfy AFV-Acquisition Requirements

Because the program's primary emphasis is on light-duty AFVs, your fleet can earn credits toward compliance for the acquisition of medium- or heavy-duty AFVs only after it has fulfilled its light-duty AFV-acquisition requirement for that

model year. Moreover, your fleet may bank credits earned in this manner and later apply these (or other) banked credits toward its AFV-acquisition requirements in future model years. For example, if your fleet fulfills its AFV-acquisition requirements for a given model year by ensuring that 90% of its annual acquisitions of light-duty vehicles are AFVs, then the acquisition of any medium- or heavy-duty AFVs in excess of the LDV requirements can earn credits toward AFV-acquisition requirements for model year 2010, as well as be banked for use in any subsequent model years.

What Does Not Count Toward Meeting EPA Act Requirements

The acquisition of the following types of vehicles *may not* be counted toward the EPA Act AFV-acquisition requirements:

- Low-speed vehicles;
- Hybrid electric vehicles that run on gasoline;
- Reformulated gasoline/clean diesel vehicles; and
- Non-road AFVs such as forklifts and construction equipment.

Although hybrid electric vehicles and reformulated gasoline/clean fuel vehicles are counted when determining your fleet's annual acquisition requirements, low-speed vehicles, non-road vehicles, and medium- and heavy-duty vehicles are not.

1-6 Exemptions for States

State fleets may apply for exemptions from EPA Act AFV-acquisition requirements; DOE will grant exemptions on a case-by-case basis. Any exemption is valid for one model year only. Fleets must apply to DOE for exemptions annually, presenting updated documentation for DOE consideration.

The opportunity for covered fleets to request exemptions should serve only as administrative relief of the last resort in the event a fleet is unable to satisfy its AFV-acquisition requirements through the normally available compliance alternatives. These alternatives include purchasing and using biodiesel to the maximum extent allowed, redeeming banked AFV-acquisition credits, converting conventional vehicles to AFVs within 120 days of their acquisition, and purchasing or trading for such credits. DOE expects fleets to continue to minimize the need for exemptions as DOE develops and implements alternatives to complying with AFV-acquisition requirements. Numerous guidance docu-

ments and tools are available on the DOE website, which also offers hotline support to assist covered fleets in complying with program requirements.

In all instances, for fleets that do not meet their AFV-acquisition requirements solely through acquisitions, DOE will limit the number of exemptions the fleet may obtain to one half of the fleet's acquisition requirement. This is because DOE expects fleets to meet as much as half of their AFV-acquisition requirements, as necessary, using biodiesel. As biodiesel is increasingly more available in the United States, DOE has determined that biodiesel is a viable option for all fleets unless a fleet provides DOE with information clearly indicating otherwise. As a result, exemption requests must address the fleet's use and capacity to use biodiesel fuel blends in any medium- and heavy-duty on-road fleet vehicles. In instances in which fleets are unable to deploy biodiesel vehicles or otherwise obtain biodiesel fuel, DOE—before granting exemptions—will require that fleets provide information explaining their inability to deploy biodiesel.

Requesting an Exemption for Unavailability of Suitable Alternative Fuels or Alternative Fuel Vehicles

Your state fleet may apply for an exemption from the AFV-acquisition requirements if no alternative fuels or AFVs that meet your fleet's operating needs are available in the fleet's territory. For example, an exemption may be requested if the only AFVs available that meet your operating needs are natural gas vehicles and if compressed natural gas is not available in your fleet's operating area. As another example, if original equipment manufacturers do not offer an AFV of the vehicle model or type that your fleet requires (e.g., small pickup truck), then your fleet might be eligible to receive an exemption from DOE.

Requesting an Exemption for Financial Hardship

Your state fleet may apply for an exemption from its AFV-acquisition requirements for a given model year if the additional costs associated with AFVs pose an unreasonable financial hardship for the state. DOE considers these requests on a case-by-case basis. States requesting exemptions as a result of financial hardship must submit compelling evidence to DOE.

Submitting Exemption Requests

For those fleets seeking exemptions, requests should be submitted no sooner than September 1 of the relevant model year and no later than January 31 following that model year. Most importantly, exemption requests may be filed only

after DOE approves the fleet's annual report for the relevant model year to determine whether an exemption is warranted.

Although DOE accepts manually assembled exemption requests, it strongly recommends that fleets pursuing exemptions use the Online Exemption Request Tool (www.eere.energy.gov/vehiclesandfuels/epact/exemptions.html) to ensure requests include required information and are easy to read. The easy-to-use tool loads pertinent information automatically from a fleet's identification and annual report records already in the database, eliminating labor-intensive steps associated with manually assembled exemption requests. Fleets using the tool need only complete the form fields online and attach any files that support the exemption requests. The tool automatically creates an electronic copy of each fleet's request that fleet staff then save, print, and send to DOE.

When applying for exemptions, refer first to the exemption guidance provided on the DOE website, www.eere.energy.gov/vehiclesandfuels/epact/stand_comp_resources.html. When submitting your fleet's request to DOE for an exemption, be sure to include all the supporting documentation specified in the exemption guidance. If the documentation is incomplete, DOE will ask for additional information before considering the request. For submitted exemption requests on which DOE seeks clarification or additional information, the requesting fleet must respond to DOE within 30 days. After that period expires, DOE will process the exemption request based solely upon the information submitted. DOE strongly recommends reviewing the sample exemption request that is available for review at the website provided above. If you choose not to use the recommended Online Exemption Request Tool (see above), submit your exemption request by email to regulatory.info@nrel.gov or by mail to the following address.

Regulatory Manager

Alternative Fuel Transportation Program
EE-2G/Forrestal Building
1000 Independence Avenue, S.W.
Washington, DC 20585

Within 45 business days of receiving an adequate request, DOE will issue a written determination on whether the state's request for an exemption has been granted. If the exemption request is denied, then the fleet may file an appeal within 30 working days after notification of DOE's determination. It may be helpful to review "Prior Decisions" provided on the DOE Office of Hearings and Appeals' website (www.oha.doe.gov/leecases.asp) to learn about previous decisions on appeals for the Alternative Fuel Transportation Program. Appeals must be sent to the following address.

Office of Hearings and Appeals

U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585

1-7 State Reporting Requirements

Each covered fleet operator must file an annual report with DOE on the status of its compliance with EPart regulatory requirements. If a state's individual agencies are tracking their compliance separately, then the state government can choose to:

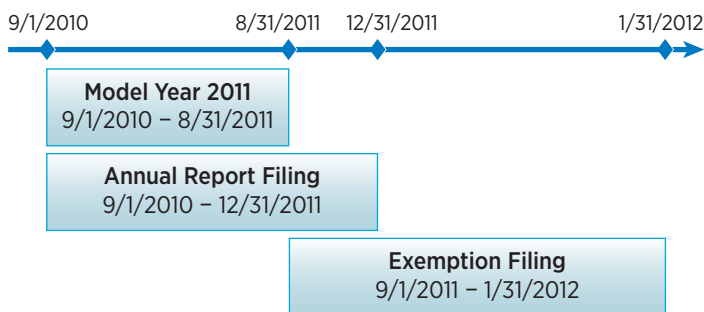
- Collect all reports and submit them to DOE at one time, **or**
- Have each separate agency fleet submit its report directly to DOE, **or**
- Submit a report with fleets for some agencies grouped together.

Reminder

A model year runs from September 1 of one year through August 31 of the following year. Model year 2010, for example, began September 1, 2009, and ended August 31, 2010.

Fleets may submit their annual reports during the relevant model year but no later than December 31 following that model year. For example, a report for model year 2010, which begins September 1, 2009, is due December 31, 2010.

Fleets must retain copies of vehicle-acquisition records and compliance reports for three years beyond the due date of the report or the date it is filed (whichever is later). Materials related to a report filed on November 1, 2010, for the 2010 model year (due December 31, 2010), for example, must be retained by the state fleet until December 31, 2013.



Example timeline for Standard Compliance reporting in model year 2011

Filing an Annual Compliance Report

Annual compliance reports can be submitted to DOE using the online database or the spreadsheet template, both of which are described below. Please do not create your own forms for your fleet's report. The list below provides the only acceptable methods for submitting your acquisition information to DOE. DOE strongly encourages the use of online and electronic forms and electronic submittal of such forms.

- **Option 1: Report Online via the Internet**
The AFV Acquisition and Credits Database can be accessed at www.eere.energy.gov/vehiclesandfuels/epact/annual_report.html. Enter the requested data into the online forms and submit them.
- **Option 2: Complete a Downloadable Spreadsheet**
The Excel spreadsheet template can be downloaded from the website noted above. Download a spreadsheet file and complete the spreadsheet. Submit the completed spreadsheet by email at epact.sfp.fleets@nrel.gov.

1-8 Alternative State Plans

States and covered state fleets can comply with the AFV-acquisition requirements under the Standard Compliance option through a Light-Duty AFV Plan. A DOE-approved plan allows the covered state fleets included in the plan to count towards compliance for AFV acquisitions by any number of non-covered state fleets, municipal and local government fleets, and private fleets. In this way, the voluntary participation of fleets that are not covered under the program alleviates the AFV-acquisition burden that the covered state fleets otherwise would each bear entirely. Moreover, the submitted plan may include as creditable actions the acquisition of light-duty AFVs in excluded vehicle categories—except non-road vehicles and neighborhood electric vehicles (NEVs).

Each state is allowed to submit one plan, but not all covered state fleets must be included in a state's Light-Duty AFV Plan. Nonetheless, a Light-Duty AFV Plan must provide for the acquisition by the plan participants, in the aggregate, of at least the same number of AFVs that the covered state fleets included in the plan would have been required to acquire on their own. This one plan may include one or more covered state fleets and can result in the submission of one or more Standard Compliance annual reports. A state plan that includes six covered state fleets, for example, could specify that fleets one and two be included in fleet one's annual report, and fleets three through six be included in a separate annual report that

comes from fleet three. Fleet combinations included in a report for 2012 may be changed in future years' plans. Whatever the fleet combination, the fleet that submits the annual report is the fleet that is credited with any credit surplus or is responsible for any credit deficit that results from that annual report.

States might find it simplest to obtain the voluntary participation of fleets by contacting local Clean Cities coalition coordinators (visit www.eere.energy.gov/cleancities for an updated coordinator list), who might be able to identify potential fleet participants. States and covered state fleets might need to determine what incentives, if any, to offer those other fleets as encouragement for their participation in the plan.

Writing an Optional Alternative State Plan

A Light-Duty AFV Plan must be submitted to DOE no later than June 1 prior to the model year that the plan covers and must include the following elements.

- A certification by the governor or the governor's designee that the plan meets the program's requirements;
- The identification of the covered state fleet that is submitting the plan and will be the point of contact that is responsible for its contents;
- The identification of all state, municipal/local, and private fleets that will participate in the plan;
- A written statement of commitment from and the number of AFVs that will be acquired by each plan participant;
- The identification of which covered state fleet(s) will submit an annual report; and for each annual report
 - o Identification of which covered and non-covered fleets will be included in the annual report;
 - o An estimate of the LDV count of all the covered fleets in the annual report (the sum of counts for each covered fleet in the report); and
 - o An estimate of the total AFV requirement for the annual report (the rounded product of 0.75 times the total LDV count);
- A statement of contingency measures the state will take in the event that plan participants fail to fulfill significant commitments;
- A provision obligating the state to monitor and verify implementation of the plan, including providing DOE with information sufficient to ensure the same AFV is not counted twice for purposes of program compliance; and
- A certification that all AFV acquisitions under the plan are voluntary (except for any AFVs that covered state fleets participating in the plan acquire) and that the acquisitions conform with the requirements of Section 247 of the Clean Air Act and any applicable safety requirements.

DOE has 60 days to review a Light-Duty AFV Plan that a state submits for approval. Importantly, a state may request a modification of its approved plan at any time. If, for example, a state foresees that it will be unable to implement its approved plan successfully due to a particular participant's financial or other difficulties, then the state may request the unsuitable participant be substituted with a new plan participant. Of course, states always can adjust the plan for the following year, which would be governed by a new plan.

Any acquisitions of light-duty AFVs and any conversions of conventional LDVs to AFVs may be included in the plan, even if they involve vehicles in excluded categories (except for non-road vehicles). Conversions must be made within 4 months of the vehicles entering a fleet.

A state must submit its alternative plan no later than June 1 prior to any new model year. An original and two copies of the plan should be sent to the following address.

Regulatory Manager

Alternative Fuel Transportation Program
EE-2G/Forrestal Building
1000 Independence Avenue, S.W.
Washington, DC 20585

Until an optional plan is approved, a state is subject to the statutory AFV-acquisition requirements. If the optional plan is not approved, then a state may revise and resubmit its plan to DOE within a reasonable time. The state, however, must comply with existing commitments or statutory acquisition requirements until a new plan is approved.

Monitoring the Implementation of Alternative State Plans

A state must monitor and verify the implementation of its approved optional plan and provide a description of its implementation in the annual report to DOE. If a state finds

it impossible to implement its approved plan successfully, it may at any time submit proposed modifications to the plan (with adequate justifications) for DOE's consideration. Until such modifications are approved, however, the state must comply with its existing commitments or the statutory acquisition requirements. Requests for modifications must be sent to the following address.

Regulatory Manager

Alternative Fuel Transportation Program
EE-2G/Forrestal Building
1000 Independence Avenue, S.W.
Washington, DC 20585

Additional Information

DOE strongly encourages covered state fleets and states—particularly those that do not report annually as a single entity under the program—to consider the advantages of a Light-Duty AFV Plan. DOE also encourages formulating and submitting for approval a complete plan for a single model year. For additional information on this compliance option, send an inquiry to regulatory.info@nrel.gov or contact the program hotline at 202-586-9171.

Section 2 — Alternative Fuel Providers

The Alternative Fuel Transportation Program applies also to alternative fuel provider fleets. The information in this section addresses these fleets.

2-1 Defining an Alternative Fuel Provider

A fuel provider—or any “affiliate” or “business unit” under its control (see Appendix A for definitions of these terms)—is deemed an alternative fuel provider if its “principal business” (see Appendix A) involves:

- Producing,
- Storing,
- Refining,
- Processing,
- Transporting,
- Distributing, and/or
- Importing or selling (at wholesale or retail price) any alternative fuel (other than electricity);

or if its principal business is:

- Generating,
- Transmitting,
- Importing, and/or
- Selling electricity (at wholesale or retail price);

or if that fuel provider:

- Produces,
- Imports, and/or
- Produces and imports (in combination) an average of 50,000 barrels per day or more of petroleum, **and**
- Thirty percent (30%) (a “substantial portion”) or more of its gross annual revenues is derived from producing alternative fuels.

Exceptions

There are two types of alternative fuel providers (or affiliates or business units of those fuel providers) that are not covered by AFV-acquisition requirements:

- A fuel provider whose principal business is that of transforming alternative fuel into products that are *not* alternative fuels; and
- A fuel provider whose principal business is that of using alternative fuel as a feedstock or fuel in the manufacture of products that are *not* alternative fuels.

Examples of Exceptions

- A company that burns natural gas to make heat for a manufacturing operation.
- A manufacturer of windshield washer fluid who blends an alternative fuel (methanol) in producing windshield washer fluid, which is not an alternative fuel.

Determining Whether an “Alternative Fuel Provider” Is a “Covered Person” Who Must Acquire Alternative Fuel Vehicles

A “covered person” for purposes of being subject to the program’s AFV-acquisition requirements is one who satisfies *all* of the following conditions.

1. Owns, operates, leases, or otherwise controls 50 or more LDVs within the United States, which are not on the list of **excluded vehicles** (see the list of excluded vehicles in the sidebar on the next page).
2. At least 20 of those LDVs are used primarily within any single MSA or CMSA (see Appendix B).
3. Those 20 (or more) LDVs are centrally fueled or capable of being centrally fueled. Light-duty vehicles are “centrally fueled” if they are or could be re-fueled at least 75% of the time at a location that is owned, operated, or controlled by any fleet, or that is under contract with that fleet for refueling purposes. This issue is discussed in detail in the preamble to the final rulemaking establishing this program (published in the Federal Register, Volume 61, Number 51, pages 10,627–10,628 (1996), and available

at www.eere.energy.gov/vehiclesandfuels/epact/pdfs/fed_reg.pdf) (see the definition of “centrally fueled” in Appendix A of this document).

For help in deciding whether your company’s fleet is subject to the program, follow the branches of the decision tree on the next page of this document.

Excluded Vehicles (as defined by EPA^{Act})

The following vehicles are not to be counted in determining whether a fleet is covered by EPA^{Act} requirements. To qualify as an excluded vehicle, the vehicle in question must qualify as an excluded vehicle for the entire time it is part of the fleet.

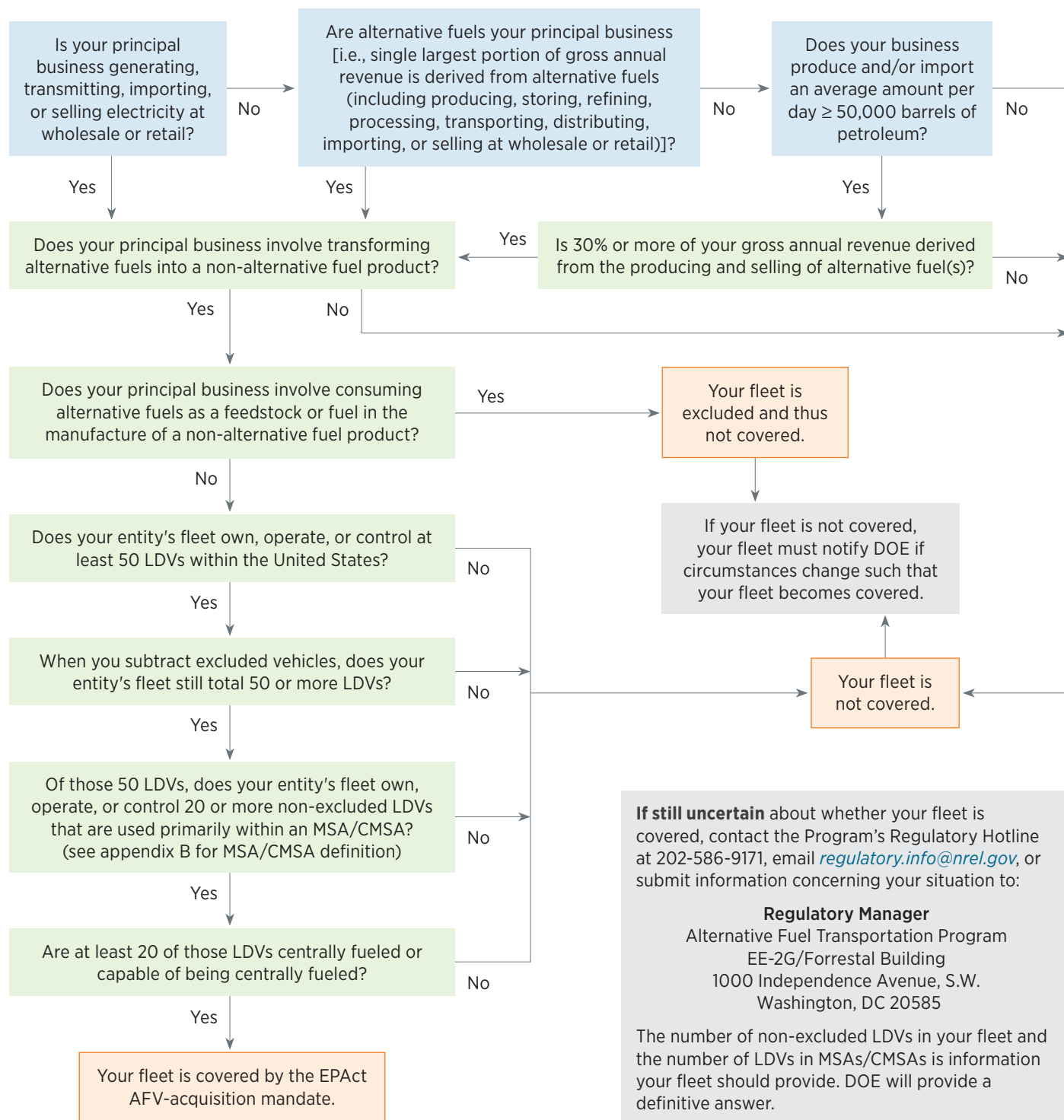
- Emergency motor vehicles
- Law enforcement vehicles*
- Non-road vehicles
- Vehicles that, under normal operations, are parked at private residences when not in use**
- Vehicles used for evaluating or testing products of a motor vehicle manufacturer, including vehicles owned or held by a university for research purposes
- Vehicles owned or held by a testing laboratory or other evaluation facility solely for evaluating their performance for engineering, research and development, or quality-control reasons
- Motor vehicles acquired and used for purposes that the U.S. Secretary of Defense has certified to DOE must be exempted for national security reasons

* Administrative vehicles of law enforcement agencies are not considered law enforcement vehicles.

**A covered fleet must be able to certify to DOE that its take-home policies are consistent with DOE’s policy on employee-assigned take-home vehicles.

Decision Tree for Alternative Fuel Provider Fleets

Use this decision tree to determine whether your fleet is covered. If you still are uncertain about your fleet's coverage, contact the Alternative Fuel Transportation Program staff.



If still uncertain about whether your fleet is covered, contact the Program's Regulatory Hotline at 202-586-9171, email regulatory.info@nrel.gov, or submit information concerning your situation to:

Regulatory Manager
 Alternative Fuel Transportation Program
 EE-2G/Forrestal Building
 1000 Independence Avenue, S.W.
 Washington, DC 20585

The number of non-excluded LDVs in your fleet and the number of LDVs in MSAs/CMSAs is information your fleet should provide. DOE will provide a definitive answer.

2-2 Alternative Fuel Provider AFV-Acquisition Requirements

This subsection examines how many vehicles a covered alternative fuel provider fleet must acquire to be in compliance. For purposes of the Alternative Fuel Transportation Program, the date of vehicle acquisition means the date on which the fleet took possession of a vehicle.

Calculating the Number of Alternative Fuel Vehicles That Covered Alternative Fuel Provider Fleets Must Acquire

The time period in which a covered alternative fuel provider fleet is subject to the EAct requirements (as defined in 10 CFR Part 490) is referred to as the program model year, which runs from August 31 to September 1 of the following year. Fleets determine whether they are subject to the program prior to each program model year. When alternative fuel provider fleets are subject to EAct requirements and acquire LDVs that are new to the fleets, 90% of the newly acquired fleet LDVs must be AFVs. Therefore, medium- and heavy-duty vehicles and neighborhood electric vehicles or non-road AFVs are not included. Light-duty vehicles are not limited to brand-new vehicles. Those LDVs that are new to the fleet may include used vehicles (e.g., acquiring a used 1999 model-year LDV on October 15, 2009, a date that falls within program model year 2010).

To calculate actual AFV acquisitions required, a covered alternative fuel provider fleet should use the following approach.

1. Start with the number of LDVs to be acquired for each fleet for the program model year and that are housed within listed MSAs/CMSAs.
2. Subtract any excluded vehicles.
3. Multiply the result by 90%.

For example, if an alternative fuel provider fleet plans to acquire 105 LDVs in 2000, and five of these will be excluded vehicles, then the results shown in the example worksheet below is the case.

Of the 105 vehicles this fleet plans to acquire, at least 90 must be AFVs to meet the fleet's EAct requirements.

Use the worksheet for any covered fleet at right to determine how many of your alternative fuel provider fleet's planned LDV acquisitions must be AFVs.

Example Worksheet	
Total Planned Acquisitions in Given Model Year	105
Excluded-Vehicle Acquisitions	- 5
Total Covered Acquisitions	100
AFV-Acquisition Fraction in Same Given Model Year	× 0.90
AFV Acquisitions Required in Same Given Model Year	90*

** If the resulting AFV-acquisition number is a fraction, then fractions of 0.5 or greater are rounded up to the nearest whole number; fractions less than 0.5 are rounded down.*

Worksheet for Any Covered Fleet	
Total Planned Acquisitions in Model Year 20XX	
Excluded-Vehicle Acquisitions	-
Total Covered Acquisitions	
AFV-Acquisition Fraction	× 0.90
AFV Acquisitions Required in Model Year 20XX	

Companies with multiple corporate entities in the alternative fuels business must decide how they will comply with the program's AFV-acquisition requirements. The company (as the covered person) may choose to comply with its AFV-acquisition requirements as a single entity, or any of its associated entities that are also determined to be covered persons may comply separately.

DOE allows alternative fuel provider fleets to choose how they will calculate their AFV-acquisition requirements and report their compliance. A covered alternative fuel provider fleet can select from among the following options.

- Comply as one large fleet, counting the total number of non-excluded LDVs acquired by all its associated entity fleets, regardless of any fleet's location or size; or

- Allow individual entities of two or more fleets to count their vehicles and report their compliance separately.

If a covered alternative fuel provider allows its subsidiary fleets to comply individually, *and* an individual fleet does not meet the fleet-size coverage requirements (size guidelines are described in subsection 2-1), then that individual entity's fleet would be excluded from the program and from its AFV-acquisition requirements.

Associated alternative fuel provider fleets that join together to calculate their compliance responsibilities do not have to acquire their vehicles together. They must, however, file their annual reports to DOE together as one entity/fleet. The fleet that submits the report is granted any credit surplus or is responsible for any credit deficit that results from the annual report.

2-3 Identifying Vehicles to Meet Your Fleet's AFV-Acquisition Requirements

Having determined both that an alternative fuel provider fleet is covered under EPAAct and the number of acquisitions that must be AFVs, the fleet manager may satisfy those AFV-acquisition requirements via one or more of the following methods.

1. Acquire (through purchase, lease, long-term rental of 120 days or longer, or donation) new LDVs capable of operating on alternative fuels.
 - Any new LDV acquired by a covered alternative fuel provider fleet that can operate on alternative fuels is counted toward the fleet's compliance requirements. This includes LDVs that are on the excluded list (e.g., emergency vehicles, law enforcement vehicles) if they are acquired as AFV models. To be counted, the new LDV must not previously have been under the control of the alternative fuel provider fleet, no matter when the vehicle was manufactured. If your fleet acquires a medium- or heavy-duty AFV, you may also apply this AFV toward your compliance requirements or for additional credit, but only if your fleet's LDV-acquisition requirements have been met.
2. Acquire (through purchase, lease, long-term rental of 120 days or longer, or donation) any after-market, converted LDV (including a demonstration model) that was not previously under the control of the alternative fuel provider (no matter when it was manufactured) and is capable of operating on alternative fuels.
 - All conversions must meet the specifications in the U.S. Environmental Protection Agency Memorandum 1A (on anti-tampering) and appropriate emissions requirements.
3. Acquire (through purchase, lease, long-term rental of 120 days or longer, or donation) any used original equipment manufacturer, alternative-fuel LDV (including a demonstration model) that was not previously under the control of the alternative fuel provider (no matter when it was manufactured).
4. Convert a new LDV to operate on alternative fuels within 4 months after it comes under the control of the alternative fuel provider.
5. Apply AFV credits against the fleet's AFV-acquisition requirements (see Section 3, AFV Credit Program).
6. Additionally, your fleet may purchase biodiesel for use in AFVs in blends of B20 or greater to meet up to 50% of your fleet's annual AFV-acquisition requirements.
 - Biodiesel fuel must be for use only in vehicles of more than 8,500 lb gross vehicle weight rating. One biodiesel fuel use credit will be counted as one AFV acquisition and will be awarded to fleets and covered persons for every 450 gallons of pure biodiesel fuel (B100) used in blends of at least 20% biodiesel.* (B20 fuel is 20% biodiesel and 80% standard diesel fuel by volume.) Except for biodiesel providers, biodiesel fuel use credits may account for no more than 50% of a fleet's annual AFV-acquisition requirements. Biodiesel fuel providers may satisfy up to 100% of their acquisition requirements through biodiesel fuel use credits.
 - Biodiesel credits may not be banked or traded.
 - No credit is given for the portion of biodiesel used in a blend of B20 or greater if the biodiesel purchased for use is consumed in a state where biodiesel is required by federal or state law.
 - Please note that fleets operating under Standard Compliance should maximize their biodiesel use in blends of B20 or greater to facilitate compliance. In most cases, fleets may use exemptions for no more than

* Rounding of biodiesel fuel use credits is not allowed; each allocation of a biodiesel fuel use credit requires that the full 450 gallons of biodiesel be purchased for use.

50% of their annual acquisition requirements if they have medium-duty vehicles or heavy-duty vehicles that can access and use B20 or higher blends. As biodiesel is increasingly more available in the United States, fleets must address their use of and capacity to use biodiesel in medium- and heavy-duty on-road vehicles when they request exemptions for more than 50% of their AFV-acquisition requirement. Fleets seeking exemptions may justify not using biodiesel only if they lack medium- or heavy-duty diesel vehicles and if they prove that biodiesel fuel is not available in their areas.

- More information on the use of biodiesel in the program is available at www.eere.energy.gov/vehicle-sandfuels/leapact/stand_comp_resources.html and www.eere.energy.gov/vehiclesandfuels/leapact/statutes_regulations.html.

Counting Light-Duty Vehicles Converted to Alternative Fuel Vehicles That Your Fleet Already Owns

Your fleet may count any vehicles that it already owns or controls to satisfy AFV-acquisition requirements if the vehicles were converted to AFVs within 4 months of the date that the fleet acquired the vehicles. Vehicles acquired prior to September 1, 1996, must have been converted no later than January 1, 1997, to earn credits. Medium-duty and heavy-duty conversions also may be counted, as long as the conversion occurs within 4 months of acquisition, and as long as all light-duty AFV-acquisition requirements have been met.

Date of Vehicle Acquisition

For purposes of the Alternative Fuel Transportation Program, the date of vehicle acquisition means the date on which the fleet has taken possession of a vehicle. Note that when a covered fleet orders an LDV/AFV sufficiently early in a particular model year but—through no fault of the fleet—does not take possession or control of the vehicle until the following model year, the fleet can count the vehicle as an LDV/AFV acquisition either in the model year in which the vehicle was ordered or the model year in which it was delivered.

Determining the Differences Between Light-Duty Alternative Fuel Vehicles

Light-duty AFVs can be classified as dedicated, dual-fuel, flexible-fuel, or bi-fuel vehicles. EPA defines a “dual-fuel AFV” as a vehicle designed to operate on a combination of an alternative fuel and a conventional fuel. Subdivisions

under dual-fuel AFVs are (1) *flexible-fuel vehicles*, which have one fuel tank and operate on an alternative fuel, a petroleum fuel, or a mixture of the two; and (2) *bi-fuel vehicles*, which have two separate fueling systems (i.e., tanks or sources), one using an alternative fuel and one for a conventional fuel, and which may operate on only one fuel at a time.

Acquiring Excluded Vehicles as Alternative Fuel Vehicles to Satisfy AFV-Acquisition Requirements

Light-duty vehicle types that are on the list of excluded vehicles (see subsection 2-1) are not counted for purposes of meeting your fleet’s AFV-acquisition requirements (and earning credits) unless your fleet acquires AFV models of these vehicles. Alternative fuel vehicle models of excluded vehicles *will* help satisfy your fleet’s requirements and earn credits, unless they are non-road vehicles (which never are eligible to satisfy AFV-acquisition requirements). To qualify as an excluded vehicle, the vehicle in question must qualify as an excluded vehicle for the entire time it is in the covered fleet.

Acquiring Medium-Duty or Heavy-Duty Alternative Fuel Vehicles to Satisfy AFV-Acquisition Requirements

The program’s primary emphasis is on light-duty AFVs. Therefore, your fleet can earn credits toward compliance for the purchase of medium- or heavy-duty AFVs only after fulfilling its light-duty AFV-acquisition requirement for that model year. Moreover, your fleet may bank credits earned in this manner and later apply these (or other) banked credits toward its AFV-acquisition requirements in future model years. For example, if your fleet fulfills its AFV-acquisition requirements for a given model year by ensuring that 90% of its annual acquisitions of light-duty vehicles are AFVs, then the acquisition of any medium- or heavy-duty AFVs in excess of the LDV requirements can earn credits toward AFV-acquisition requirements for model year 2010, as well as be banked for use in any subsequent model years.

Choosing Appropriate Alternative Fuels to Satisfy AFV-Acquisition Requirements

Regardless of whether they are dedicated, dual-fuel, flexible-fuel, or bi-fuel vehicles, light-duty AFVs must be designed to operate on at least one of the fuels defined as an EPA alternative fuel to satisfy AFV-acquisition requirements. No fuels other than those listed in the sidebar on the next page currently are designated as alternative fuels. Reformulated gasoline and diesel fuel are not alternative fuels under EPA for any type of vehicle, and biodiesel blends do not

Alternative Fuels That Satisfy EPO Act Requirements

- 100% methanol
- Denatured ethanol and other alcohols
- Mixtures containing 85% by volume of methanol, denatured ethanol, and other alcohols with gasoline or other fuels
- Natural gas (compressed or liquefied)
- Liquefied petroleum gas (propane)
- Electricity (including electricity from solar energy)
- Hydrogen
- Coal-derived liquid fuels
- Fuels (other than alcohol) derived from biological materials, including neat or 100% biodiesel
- Three P-series blends

qualify as alternative fuels for use in light-duty AFVs under EPO Act, unless used as B100 in a light-duty diesel vehicle. Any changes to the approved list of alternative fuels are made only by final DOE rulemaking as published in the *Federal Register*.

EPO Act requires covered alternative fuel providers always to use alternative fuels in their AFVs except where and when the fuel is unavailable. DOE will grant credit to alternative fuel providers for the acquisition of an AFV regardless of whether the AFV will be operated or located in an area where the appropriate alternative fuel is available. Although the acquired AFV will not be operated on the appropriate alternative fuel where it is unavailable, this situation will not necessarily continue because the fuel might become available in the operating area in the future. Thus, granting AFV-acquisition credit is intended to spur demand for the alternative fuel. Once the fuel becomes available, it must be used pursuant to EPO Act Section 501(a)(4) and 10 CFR 490.306.

Converting Vehicles to Alternative Fuel Vehicles to Satisfy AFV-Acquisition Requirements

If automakers do not make OEM vehicles that meet the alternative fuel provider fleet's operational requirements, the fleet is not required to convert conventional vehicles to operate on alternative fuels. The fleet, however, may *choose* to convert vehicles to meet its AFV-acquisition requirements according to guidelines discussed in subsection 2-3 of this document.

What Does Not Count Toward Meeting EPO Act Requirements

The acquisition of the following types of vehicles may *not* be counted toward EPO Act AFV-acquisition requirements.

- Low-speed vehicles
- Hybrid electric vehicles that run on gasoline
- Reformulated gasoline/clean diesel vehicles
- Non-road AFVs, such as forklifts and construction equipment

Moreover, although light-duty hybrid electric vehicles and reformulated gasoline/clean diesel vehicles count as LDVs when determining the fleet's annual acquisition requirements, low-speed vehicles, non-road vehicles, and medium- and heavy-duty vehicles do not.

2-4 Addressing Mergers, Acquisitions, and Divestitures

If two alternative fuel provider companies merge, or a company breaks up and its fleet splits into several fleets—covered or uncovered under EPO Act—then the fleets may report either separately or jointly for that model year. Notify DOE of the merger or split at the time it occurs, indicate how the fleets will report for the current model year, and provide necessary information for the new contact(s) who will be reporting compliance. The fleets should also indicate what they will do with any credits banked for either company or what they plan to do if either entity is out of compliance. Provide this information in writing to the Program Manager, Alternative Fuel Transportation Program (see Appendix C for complete address) and send a copy via email to epact.sfp.fleets@nrel.gov.

2-5 Exemptions from Acquisition Requirements for Alternative Fuel Providers

Alternative fuel provider fleets may apply for exemptions from EPO Act AFV-acquisition requirements. DOE grants exemptions on a case-by-case basis, and any exemption is good for one year only. Fleets must apply to DOE for exemptions annually, presenting updated documentation for DOE consideration.

The opportunity for covered fleets to request exemptions should serve only as administrative relief of the last resort in the event a fleet is unable to satisfy its AFV-acquisition requirements through the normally available compliance alternatives. These alternatives include the purchase and

use of biodiesel to the maximum extent allowed, redeeming banked AFV-acquisition credits, and purchasing or trading for such credits. DOE expects fleets to continue to minimize their need for exemptions as DOE develops and implements alternatives to complying with AFV-acquisition requirements. DOE has developed numerous guidance documents and tools that are available on its website and also offers hotline support to assist covered fleets in complying with program requirements.

In all instances, for fleets that do not meet AFV-acquisition requirements solely through acquisitions, DOE will limit the number of exemptions the fleet may obtain to 50% of the fleet's acquisition requirement. This is because DOE expects fleets to meet as much as half of their AFV-acquisition requirements, as necessary, using biodiesel. As biodiesel increasingly is more available in the United States, DOE asserts that biodiesel is a viable option for all fleets—unless a fleet provides DOE with information clearly indicating otherwise. As a result, exemption requests must address the fleet's use and/or capacity to use biodiesel fuel blends in any medium- and heavy-duty on-road fleet vehicles. For fleets that are unable to deploy biodiesel vehicles or otherwise obtain biodiesel fuel, DOE will require—before granting exemptions—that fleets provide information as to why they cannot deploy biodiesel.

Requesting Exemptions for Unavailability of Suitable Alternative Fuels or Alternative Fuel Vehicles

Your alternative fuel provider fleet may apply for an exemption from the AFV-acquisition requirements if no alternative fuels or AFV models that meet your fleet's operating needs are available in the fleet's territory. For example, an exemption may be requested if the only AFV models available that meet your operating needs are natural gas vehicles, and compressed natural gas is not available in your fleet's operating area. As another example, if OEMs are not offering as an AFV a vehicle of the model or type your fleet requires (e.g., a small pickup), your fleet might be eligible to receive an exemption from DOE.

Submitting Exemption Requests

For those fleets seeking exemptions, requests should be submitted no sooner than September 1 of the relevant model year and no later than January 31 following that model year. Most importantly, exemption requests may be filed only

after DOE approves the fleet's annual report for the relevant model year to determine whether an exemption is warranted.

Although DOE accepts manually assembled exemption requests, it strongly recommends that fleets pursuing exemptions use the Online Exemption Request Tool (www.eere.energy.gov/vehiclesandfuels/leapact/exemptions.html) to ensure requests include required information and are easy to read. The easy-to-use tool loads pertinent information automatically from a fleet's identification and annual report records already in the database, eliminating labor-intensive steps associated with manually assembled exemption requests. Fleets using the tool need only complete the form fields online and attach any files that support the exemption requests. The tool automatically creates an electronic copy of each fleet's request that fleet staff then save, print, and send to DOE.

When applying for exemptions, refer first to the exemption guidance provided on the DOE website, www.eere.energy.gov/vehiclesandfuels/leapact/stand_comp_resources.html. When submitting your fleet's request to DOE for an exemption, be sure to include all the supporting documentation specified in the exemption guidance. If the documentation is incomplete, DOE will ask for additional information before considering your request. The submitted exemption requests for which DOE seeks clarification or additional information are given 30 days for the requesting fleet to respond to DOE. After that period expires, DOE will process the exemption request based solely upon the information submitted. DOE strongly recommends reviewing the sample exemption request that is available for review at the website provided above. If you choose not to use the recommended Online Exemption Request Tool (see above), submit your exemption request by email to regulatory.info@nrel.gov or by mail to the following address.

Regulatory Manager

Alternative Fuel Transportation Program
EE-2G/Forrestal Building
1000 Independence Avenue, S.W.
Washington, DC 20585

Within 45 working days of receiving an adequate request, DOE will issue a written determination on whether the fleet's request for an exemption has been granted. If the exemption request is denied, then the fleet may file an appeal within 30 working days after notification of DOE's

determination. It may be helpful to review “Prior Decisions” provided on the DOE Office of Hearings and Appeals’ website (www.oha.doe.gov/eecases.asp) to learn about previous decisions on appeals for the Alternative Fuel Transportation Program. Appeals must be sent to the following address.

Office of Hearings and Appeals
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585

2-6 Alternative Fuel Provider Annual Reporting Requirements

Each covered fleet operator must file an annual report with DOE on the status of its compliance with EPart regulatory requirements. If an alternative fuel provider’s fleets are tracking their compliance separately, the alternative fuel provider may choose to:

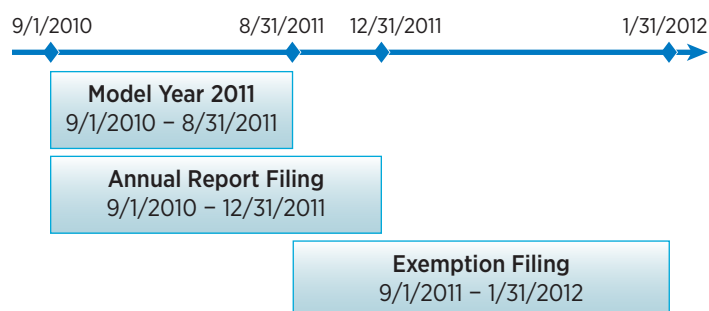
- Collect all reports and submit them to DOE at one time, **or**
- Have each separate fleet submit its report directly to DOE.

Fleets may submit annual reports during the relevant model year, but they must be submitted no later than December 31 following that model year. For example, a report for model year 2010, which began September 1, 2009, would be due by December 31, 2010.

Fleets must retain copies of their vehicle-acquisition records and compliance reports for 3 years beyond the due date of the report or the date it is filed, whichever is later. For

Reminder

A model year runs from September 1 of one year through August 31 of the following year. Model year 2010, for example, began September 1, 2009, and ended August 31, 2010.



Example timeline for Standard Compliance reporting in model year 2011

example, materials related to a report filed on November 1, 2010, for the 2010 model year (due December 31, 2010), must be retained by the fleet until December 31, 2013.

Filing an Annual Compliance Report

Annual compliance reports can be submitted to DOE using the online database or the spreadsheet template, both of which are described below. Please do not create your own forms for your fleet’s report. The list below provides the only accepted methods for submitting your acquisition information to DOE. DOE strongly encourages the use of online and electronic forms and electronic submittal of such forms.

- **Option 1: Report Online via the Internet**
The AFV Acquisition and Credits Database can be accessed at www.eere.energy.gov/vehiclesandfuels/epact/annual_report.html. Enter the requested data into the online forms and submit them.
- **Option 2: Complete a Downloadable Spreadsheet**
The Excel spreadsheet template can be downloaded from the website noted above. Download a spreadsheet file and complete the spreadsheet. Submit the completed spreadsheet by email at epact.sfp.fleets@nrel.gov.

Section 3 — Alternative Fuel Vehicle Credit Program

DOE established the AFV Credit Program to allow state and alternative fuel provider fleets some flexibility in meeting their requirements without sacrificing the program's national energy-security goals. Fleets that exceed E Pact requirements in acquiring AFVs are rewarded with credits they can use in the future. Fleets that are unable to meet their E Pact requirements may purchase or otherwise acquire credits from those holding them.

3-1 Earning Credits Under the Program

States and alternative fuel providers may earn credits by

- Acquiring AFVs in greater numbers than required in any model year (including by acquiring vehicles of more than 8,500 lb gross vehicle weight rating after light-duty vehicle acquisition requirements are met), **or**
- Acquiring AFVs earlier than required under the program.

DOE will allocate one credit for each AFV a covered state or alternative fuel provider fleet acquires beyond the acquisition requirements for any model year.

DOE will establish a credit account for each fleet that obtains an AFV credit and will send an annual credit account statement to each fleet submitting a report on its credit activity.

3-2 Transferring Earned Credits

Credits may be transferred to:

- Any state fleet that must acquire AFVs, **or**
- Any alternative fuel provider, although a state that transfers a credit to an alternative fuel provider must provide

to the alternative fuel provider certification that the credit represents a vehicle that operates solely on alternative fuel whenever available. (It is a requirement that alternative fuel provider fleets operate their AFVs on alternative fuel whenever it is available.)

Credits may be bought, sold, given away, or traded. After locating a buyer or seller, print and complete the Proof of Credit Transfer form. This form, which includes instructions on how to complete it, requires the original dated signatures of both the buying and selling parties. If your fleet buys, sells, or transfers credits, then it must provide proof of the transfer on a form available from DOE online at www.eere.energy.gov/vehiclesandfuelslepact/. This documentation should be received by DOE within 30 days of the transfer date and should be sent to the following address.

Regulatory Manager

Alternative Fuel Transportation Program
EE-2G/Forrestal Building
1000 Independence Avenue, S.W.
Washington, DC 20585

A copy of the credit transfer request also should be sent via email at epact.sfp.fleets@nrel.gov.

DOE will notify the participating fleets once the trade is approved or denied.

Fleets that are willing to buy or sell credits to meet annual AFV-acquisition requirements or resolve credit deficiencies may find it helpful to check the Credits Bulletin Board (www.afdc.energy.gov/vehiclesandfuelslepact/state/progs/vwb/vwb.cgi) or check the list of Fleets with Excess Credits (www.afdc.energy.gov/vehiclesandfuelslepact/state/progs/public_rpt.cgi).

Section 4 — Requests for Interpretive Rulings and Rulemaking Petitions

Any organization that is or could be subject to program regulations has the right to request an interpretive ruling from DOE. An interpretive ruling is used to obtain a determination from DOE on how the regulation applies to certain facts. An interpretive ruling only applies to the party who requested it.

DOE can choose whether to provide public notice of the request for an interpretive ruling and whether it will request public comments on it. DOE may conduct an investigation to make its determination. The determination is limited to the requestor only although DOE may rely upon previous interpretive rulings. Additionally, DOE's determination is conditioned solely upon the specific facts and circumstances as included in the request. Details on how to file a request are included in 10 CFR 490, Section 490.4. For more information on interpretive rulings, see 10 CFR 490, Subpart A, Section 490.5.

Submit requests for interpretive rulings to the following address.

Regulatory Manager

Alternative Fuel Transportation Program
EE-2G/Forrestal Building
1000 Independence Avenue, S.W.
Washington, DC 20585

Conversely, a petition for generally applicable rulemaking is used specifically to request a modification of the regulations rather than an interpretation under them (although a request for an interpretive ruling also may include a request that clarification be added to the regulation). Under the petition, the full procedures for agency rulemaking are invoked (e.g., public notice, opportunity for comments, hearings). Additionally, once DOE has issued its determination on a petition for generally applicable rulemaking, the determination is applicable to all relevant parties and not just the requestor. It therefore must be published in the *Federal Register*.

Section 5 — Enforcement

Under EPCA, Congress granted DOE enforcement authority. Fleets that violate the requirements of the Alternative Fuel Transportation Program could incur the following penalties and fines.

1. Whoever violates the program will be subject to a civil penalty of not more than \$8,000 for each violation.
2. Whoever willfully violates the program will pay a criminal fine of not more than \$10,000 for each violation.
3. Any person who knowingly and willfully violates the program after having been subjected to a civil penalty for a prior violation will pay a criminal fine of not more than \$50,000 for each subsequent violation.

Except for repeated violations or other unusual circumstances, DOE will notify individuals at least 90 days in

advance of its intention to bring an enforcement action. This will provide time to negotiate a settlement, if appropriate.

Refer to 10 CFR 490, Subpart G (Investigations and Enforcement) for details on Assessments, Orders to Pay, Hearings, General or Special Orders, and Appeals.

Use the following address to submit appeals of DOE's interpretive rulings and denials of exemptions.

Office of Hearings and Appeals

U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585

Appendix C of this guide provides additional sources of helpful information concerning alternative fuels, AFVs, and the Alternative Fuel Transportation Program.

Appendix A — Glossary of Terms and Acronyms

Acquire. To take a vehicle into possession or control, such as through purchase or lease.

Act. The Energy Policy Act of 1992 (Public Law No. 102-486) and any amendments thereto.

Affiliate. A person who, directly or indirectly, controls, is controlled by, or is under common ownership or control of the subject person.

After-Market Converted Vehicle. An original equipment manufacturer's vehicle that is reconfigured by a conversion company. The vehicle is not under contract to the original equipment manufacturer to operate on an alternative fuel, and its conversion kit components are under warranty of the conversion company. (This applies to both dedicated and dual-fuel vehicles.)

AFV. Alternative fuel vehicle.

Alternative Fuel. Methanol, denatured ethanol, and other alcohols; mixtures containing 85% or more 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 (including neat biodiesel); Pure-Energy Corporation P-series blends of 60% or more non-petroleum components; and electricity (including electricity from solar energy).

Alternative Fuel Transportation Program. A U.S. Department of Energy program concerned with accelerating the introduction of alternative fuel vehicles into public and private fleets, and in interpreting the regulations covering alternative fuel requirements for fleets, at 10 CFR 490.

Alternative Fuel Vehicle (AFV). A dedicated vehicle or a dual-fuel vehicle (including a flexible-fuel vehicle) designed to operate on alternative fuel.

Alternative Fuels Business. Activities undertaken to derive revenue from (1) producing, storing, refining, processing, transporting, distributing, importing, or selling at wholesale or retail any alternative fuel other than electricity; or (2) generating, transmitting, importing, or selling electricity at wholesale or retail prices.

Assistant Secretary. The Assistant Secretary for Energy Efficiency and Renewable Energy or any other DOE official to whom the Assistant Secretary's duties under this part may be delegated by the Secretary.

Automobile. A four-wheeled vehicle propelled by conventional or alternative fuel, manufactured primarily for use on public streets, roads, and highways, and rated at (1) not more than 6,000 lb gross vehicle weight; or (2) more than 6,000 lb but less than 10,000 lb gross vehicle weight, if the Secretary of Transportation has decided, by rule, that the vehicle meets the criteria in section 501 (1) of the Motor Vehicle Information and Cost Savings Act, as amended, 49 U.S.C. 32901 (a)(3).

B20. A mixture of 20% biodiesel and 80% standard diesel fuel (by volume). Fleets may use biodiesel fuel in blends of B20 or higher to meet up to 50% of their annual compliance requirements in vehicles with a gross vehicle rating of greater than 8,500 lb.

Bi-Fuel Vehicles. Vehicles that have two fuel systems, an alternative fuel system and a conventional fuel system, and which may operate on one fuel at a time or—in some medium- and heavy-duty systems—on a combination of alternative and conventional fuels.

Biodiesel Fuel. A nontoxic, biodegradable replacement for petroleum diesel that is made from vegetable oil, recycled cooking oil, and tallow. The Btu of biodiesel is similar to that of petroleum diesel, but biodiesel is cleaner burning. Neat biodiesel (B100 or 100% biodiesel) is recognized as an alternative fuel for meeting the mandated programs of the Clean Air Act Amendments and EPAAct for credit toward a covered vehicle's annual EPAAct requirement for AFV use. Covered fleets that use B100 or a blend of biodiesel [e.g., B20 (20% biodiesel and 80% diesel) or greater blends] in medium- and heavy-duty vehicles may earn credits toward their annual AFV-acquisition requirements. Each 450 gallons of biodiesel equals one AFV credit, but credits obtained in this manner may not be carried forward of the year in which they are earned.

Business Unit. A semi-autonomous major grouping of activities for administrative purposes and organizational structure within a business entity and which is controlled by or is under the control of the subject person.

Centrally Fueled or Capable of Being Centrally Fueled.

A vehicle that can be refueled at least 75% of the time at a location that is owned, operated, or controlled by the fleet or covered person, or is under contract with the fleet or covered person for refueling purposes. DOE also defines centrally fueled as being conditioned on whether 75% of a vehicle's total annual miles traveled are derived from trips that are less than the operational range of the vehicle.

CFR. Code of Federal Regulations.

CMSA. Consolidated Metropolitan Statistical Area.

Code of Federal Regulations (CFR). The Code of Federal Regulations is the codification of the general and permanent rules and regulations (sometimes called administrative law) published in the *Federal Register* by the executive departments and agencies of the federal government of the United States.

Control. When “control” is used in the context of determining whether one person controls another or whether two persons are under common control, it means any one or a combination of the following: (1) a third person or firm has equity ownership of 51% or more in each of two firms; (2) two or more firms have common corporate officers, in whole or in substantial part, who are responsible for the day-to-day operation of the companies; or (3) one firm leases, operates, supervises, or in 51% or greater part owns equipment or facilities used by another person or firm, or has equity ownership of 51% or more of another firm.

When “control” is used to refer to the management of vehicles, it means a person has the authority to decide who may operate a particular vehicle, and can determine the purposes for which the vehicle may be operated.

When “control” is used to refer to the management of people, it means a person has the authority to direct the activities of another person or employee in a precise situation, such as in the workplace.

Covered Person. (1) A fleet that contains at least 20 light-duty 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 (as set forth in Appendix A of 10 CFR Part 490) or in a *Federal Register* notice; and (2) at least 50 light-duty motor vehicles within the United States.

Dealer Demonstration Vehicle. Any vehicle that is operated by a motor vehicle dealer solely for the purpose of promoting motor vehicle sales—either on the sales lot or through other marketing or sales promotions—or for permitting potential purchasers to drive the vehicle for prepurchase or pre-lease evaluation.

Dedicated Vehicle. An automobile that operates solely on an alternative fuel, or a motor vehicle (other than an automobile) that operates solely on an alternative fuel.

Division. A major administrative unit of an enterprise, comprising at least several enterprise units or constituting a complete integrated unit for a specific purpose and that is controlled by or is under the control of the subject person.

DOE. U.S. Department of Energy.

DOT. U.S. Department of Transportation.

Dual-Fuel Vehicle. (1) An automobile that meets the criteria for a dual-fuel automobile as that term is defined in the Motor Vehicle Information and Cost Savings Act, 49 U.S.C. 32901 (a)(8), section 513(h)(1)(C); or (2) a motor vehicle, other than an automobile, that is capable of operating on alternative fuel or on gasoline or diesel fuel; or (3) a flexible-fuel vehicle.

ECRA. Energy Conservation and Reauthorization Act of 1998.

EERE. U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy.

EISA. Energy Independence and Security Act of 2007.

Electric-Hybrid Vehicle. A vehicle primarily powered by an electric motor that draws current from rechargeable storage batteries, fuel cells, or other sources of electric current and also relies on a nonelectric source of power.

Electric Motor Vehicle. A motor vehicle primarily powered by an electric motor that draws current from rechargeable storage batteries, fuel cells, photovoltaic arrays, or other sources of electric current and may include an electric-hybrid vehicle.

Emergency Motor Vehicle. Any vehicle that is legally authorized by a government authority to exceed the speed limit to transport people and equipment to and from situations in which speed is required to save lives or property, such as a rescue vehicle, fire truck, or ambulance.

EPAct. Energy Policy Act of 1992.

EPAct 2005. Energy Policy Act of 2005.

EV. Electric vehicle.

Fleet. Except as provided by 10 CFR Section 490.3, 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 U.S. Bureau of the Census as of December 31, 1992), with a 1980 Census population of more than 250,000 (see Appendix B), and which is centrally fueled or capable of being centrally fueled, and which is owned, operated, leased, or otherwise controlled by: (1) a person who owns, operates, leases, or otherwise controls 50 or more light-duty motor vehicles within the United States and its possessions and territories; (2) any person who controls such a person; (3) any person controlled by such a person; and (4) any person under common control with such a person.

Flexible-Fuel Vehicle. Any motor vehicle engineered and designed to be operated on an alternative fuel, a petroleum fuel, or on a broad mixture of the two.

Law Enforcement Motor Vehicle. Any vehicle that is primarily operated by a civilian or military police officer or sheriff, or by personnel of the Federal Bureau of Investigation, the Drug Enforcement Administration, or other agencies of the federal government, or by state highway patrols, municipal law enforcement, or other similar enforcement agencies, and which is used for the purpose of law-enforcement activities including (but not limited to) chase, apprehension, surveillance, or patrol of parties engaged in or potentially engaged in unlawful activities.

LDV. Light-duty motor vehicle.

Lease. The use and control of a motor vehicle for transportation purposes pursuant to a rental contract or similar arrangement and having a term of 120 days or longer.

Light-Duty Motor Vehicle (LDV). A light-duty truck or light-duty vehicle as defined under the Clean Air Act, section 216(7) (42 U.S.C. §7550(7)), having a gross vehicle weight rating of 8,500 lb or less prior to any aftermarket conversion.

Low-Speed Vehicle (LSV). Vehicles that are limited to a maximum speed of 25 miles per hour (mph) and that are not required to meet all the safety regulations of full-size passenger vehicles. These vehicles are certified for use in only about a dozen jurisdictions throughout the country and never are permitted to operate on highways.

MDV. Medium-duty vehicle.

Motor Vehicle. A self-propelled vehicle, other than a non-road vehicle, designed for transporting persons or property on a street or highway.

MSA. Metropolitan Statistical Area.

NEV. Neighborhood electric vehicle.

New Vehicle. A “new” vehicle is one that was not previously under the control of the alternative fuel provider, no matter when the vehicle was manufactured.

Non-Road Vehicle. This term includes vehicles used principally for industrial, farming, or commercial use; those used for rail transportation, at an airport, or for marine purposes; and other vehicles not licensed for on-road use.

Normal Requirements and Practices. The operating business practices and required conditions under which the principal business of the covered person operates.

OEM. Original equipment manufacturer.

Original Equipment Manufacturer (OEM) Vehicle. A vehicle engineered, designed, produced, and warranted by an original equipment manufacturer.

Person. In the United States, any individual, partnership, corporation, voluntary association, joint stock company, business trust, governmental entity, or other legal entity except United States Government entities.

Principal Business. An entity’s sales-related activity that produces the greatest revenue.

Program. In this document, “program” refers to the Alternative Fuel Transportation Program, as set forth in 10 CFR 490, implementing statutorily imposed AFV-acquisition requirements for certain state agency and alternative fuel provider fleets.

P-Series Blends. Fuels termed “P-series blends” (manufactured by the Pure-Energy Corporation) consist of ethanol and methyltetrahydrofuran and have at least 60% non-petroleum components. These were designated as alternative fuels in a final rulemaking on May 17, 1999. For more information on P-series blends, refer to 64 Federal Register 26822 and the Pure-Energy website, www.pure-energy.com/products/pseries.html.

State. Any of the 50 U.S. states, the District of Columbia, the Commonwealth of Puerto Rico, and any other territory or possession of the United States.

Substantial Portion. At least 30% of the annual gross revenue of a covered person is derived from the sale of alternative fuels.

Substantially Engaged. A covered person, affiliate, division, or other business unit thereof regularly derives sales-related gross revenue from an alternative fuels business.

Used Primarily. A majority of a vehicle’s total annual miles are accumulated within a covered metropolitan or consolidated metropolitan statistical area.

Appendix B — Metropolitan Statistical Areas and Consolidated Metropolitan Statistical Areas with 1980 Populations of 250,000 or More *(from 10 CFR 490)*

Area	States Encompassed	Area	States Encompassed
Albany-Schenectady-Troy MSA	NY	Duluth-Superior MSA	MN-WI
Albuquerque MSA	NM	El Paso, MSA	TX
Allentown-Bethlehem-Easton MSA	PA	Erie MSA	PA
Appleton-Oshkosh-Neenah MSA	WI	Eugene-Springfield MSA	OR
Atlanta MSA	GA	Evansville-Henderson MSA	IN-KY
Augusta-Aiken MSA	GA-SC	Fort Wayne MSA	IN
Austin-San Marcos MSA	TX	Fresno MSA	CA
Bakersfield MSA	CA	Grand Rapids-Muskegon-Holland MSA	MI
Baton Rouge MSA	LA	Greensboro-Winston Salem-High Point MSA	NC
Beaumont-Port Arthur MSA	TX	Greenville-Spartanburg-Anderson MSA	SC
Binghamton MSA	NY	Harrisburg-Lebanon-Carlisle MSA	PA
Birmingham MSA	AL	Hartford MSA	CT
Boise City MSA	ID	Hickory-Morgantown MSA	NC
Boston-Worcester-Lawrence CMSA	MA-NH-ME-CT	Honolulu MSA	HI
Buffalo-Niagara Falls MSA	NY	Houston-Galveston-Brazoria CMSA	TX
Canton-Massillon MSA	OH	Huntington-Ashland MSA	WV-KY-OH
Charleston MSA	SC	Indianapolis MSA	IN
Charleston MSA	WV	Jackson MSA	MS
Charlotte-Gastonia-Rock Hill MSA	NC-SC	Jacksonville MSA	FL
Chattanooga MSA	TN-GA	Johnson City-Kingsport-Bristol MSA	TN-VA
Chicago-Gary-Kenosha CMSA	IL-IN-WI	Johnstown MSA	PA
Cincinnati-Hamilton CMSA	OH-KY-IN	Kalamazoo-Battle Creek MSA	MI
Cleveland-Akron CMSA	OH	Kansas City MSA	MO-KS
Colorado Springs MSA	CO	Knoxville MSA	TN
Columbia MSA	SC	Lakeland-Winter Haven MSA	FL
Columbus MSA	GA-AL	Lancaster MSA	PA
Columbus MSA	OH	Lansing-East Lansing MSA	MI
Corpus Christi MSA	TX	Las Vegas MSA	NV-AZ
Dallas-Fort Worth CMSA	TX	Lexington MSA	KY
Davenport-Moline-Rock Island MSA	IA-IL	Little Rock-N. Little Rock MSA	AR
Dayton-Springfield MSA	OH	Los Angeles-Riverside-Orange County CMSA	CA
Daytona Beach MSA	FL	Louisville MSA	KY-IN
Denver-Boulder-Greeley CMSA	CO	Macon MSA	GA
Des Moines MSA	IA	Madison MSA	WI
Detroit-Ann Arbor-Flint CMSA	MI	McAllen-Edinburg-Mission MSA	TX

Area	States Encompassed
Melbourne-Titusville-Paim Bay MSA	FL
Memphis MSA	TN-AR-MS
Miami-Fort Lauderdale CMSA	FL
Milwaukee-Racine CMSA	WI
Minneapolis-St. Paul MSA	MN-WI
Mobile MSA	AL
Modesto MSA	CA
Montgomery MSA	AL
Nashville MSA	TN
New London-Norwich MSA	CT-RI
New Orleans MSA	LA
New York-N. New Jersey-Long Island CMSA	NY-NJ-CT-PA
Norfolk-Virginia Beach-Newport News- MSA	VA-NC
Oklahoma City MSA	OK
Omaha MSA	NE-IA
Orlando MSA	FL
Pensacola MSA	FL
Peoria-Pekin MSA	IL
Philadelphia-Wilmington-Atlantic City CMSA	PA-NJ-DE-MD
Phoenix-Mesa MSA	AZ
Pittsburgh MSA	PA
Portland-Salem CMSA	OR-WA
Providence-Fall River-Warwick MSA	RI-MA
Raleigh-Durham-Chapel Hill MSA	NC
Reading MSA	PA
Richmond-Petersburg MSA	VA
Rochester MSA	NY
Rockford MSA	IL
Sacramento-Yolo CMSA	CA
Saginaw-Bay City-Midland MSA	MI
St. Louis MSA	MO-IL
Salinas MSA	CA
Salt Lake City-Ogden MSA	UT
San Antonio MSA	TX
San Diego MSA	CA
San Francisco-Oakland-San Jose CMSA	CA
San Juan-Caguas-Arecibo MSA	PR
Santa Barbara-Santa Maria-Lompoc MSA	CA
Scranton-Wilkes Barre-Hazleton MSA	PA
Seattle-Tacoma-Bremerton CMSA	WA

Area	States Encompassed
Shreveport-Bossier City MSA	LA
Spokane MSA	WA
Springfield MSA	MA
Stockton-Lodi MSA	CA
Syracuse MSA	NY
Tampa-St. Petersburg-Clearwater MSA	FL
Toledo MSA	OH
Tucson MSA	AZ
Tulsa MSA	OK
Utica-Rome MSA	NY
Washington-Baltimore CMSA	DC-MD-VA-WV
West Palm Beach-Boca Raton MSA	FL
Wichita MSA	KS
York MSA	PA
Youngstown-Warren MSA	OH

Appendix C — Additional Sources of Information on Alternative Fuels, Alternative Fuel Vehicles, and the U.S. Department of Energy’s Alternative Fuel Transportation Program

Resource	Information Available	Contact Information
Alternative Fuels and Advanced Vehicles Data Center	Information (provided without charge) on alternative transportation fuels and alternative fuel vehicles	Website: www.afdc.energy.gov
Alternative Fuel Transportation Program	General information on DOE’s Alternative Fuel Transportation Program	Website: www.eere.energy.gov/vehiclesandfuels/epact Phone: 202-586-9171 Fax: 202-586-1610 Email: regulatory.info@nrel.gov
Program Manager, Alternative Fuel Transportation Program	For general correspondence concerning DOE’s Alternative Fuel Transportation Program	Regulatory Manager Alternative Fuel Transportation Program State and Alternative Fuel Provider Fleets Vehicle Technologies Program EE-2G/Forrestal Building U.S. Department of Energy 1000 Independence Avenue, S.W. Washington, DC 20585
Clean Cities	Information on the Clean Cities program (a voluntary federal program designed to accelerate and expand the use of AFVs in urban communities and to provide refueling and maintenance facilities for their operation)	Website: www.eere.energy.gov/cleancities/

DISCLAIMER

This publication is intended to familiarize interested parties with the requirements of the U.S. Department of Energy's Alternative Fuel Transportation Program, 10 CFR Part 490. It is not intended as a complete representation of the regulation, nor does it contain the complete information necessary for compliance with the regulation. In the event of any discrepancy, real or perceived, between the language of this publication and that of the regulation, the language of the regulation should be considered as governing.

For more information, visit
www.eere.energy.gov/vehiclesandfuels/epact
or contact the Regulatory Information Line at
202-586-9171 or regulatory.info@nrel.gov.

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