

P.L.2010, CHAPTER 101, *approved December 8, 2010*
Assembly, No. 1052 (*Second Reprint*)

1 AN ACT concerning biofuels and supplementing ¹[P.L.2007, c.112
2 (C.26:2C-37)] Title 52 of the Revised Statutes¹ .

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. The Legislature finds and declares that:
8 a. New Jersey is one of the leading states in the nation in the
9 advancement of alternative energy technologies.
10 b. Attaining independence from our traditional reliance on
11 petroleum-based fossil fuels has been a long-standing objective for
12 the State.
13 c. Reducing our fossil-fuel dependence by shifting to greater
14 use of clean energy from indigenous renewable resources, such as
15 biofuel, has the potential to significantly improve local air quality,
16 reduce the State's dependence on foreign oil, and reduce Statewide
17 greenhouse gas emissions.
18 d. It is in the public interest for the State to advance biofuel
19 technologies by adopting policies that foster the production and
20 purchase of biofuels as means to promote alternative energy
21 technologies, reduce greenhouse gas emissions, and reduce reliance
22 on petroleum-based fossil fuels.

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24 2. As used in this act:
25 "Biofuel" means liquid or gaseous fuels produced from organic
26 sources such as ²[biomass] sustainably grown and harvested crops
27 including native noninvasive energy² crops, agricultural residues
28 and ²[oil crops such as palm oil,] non-recycled organic waste
29 including² waste cooking oil, grease and food wastes, ²[and]²
30 sewage and ²[landfill wastes] algae² .

31 ²"Energy crops" means crops grown exclusively for energy
32 production, including switchgrass and poplar.²

33 "State entity" means a department, agency, or office of State
34 government, a State university or college, or an authority created by
35 the State.

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37 3. a. Notwithstanding the provisions of any law, rule,
38 regulation or order to the contrary, State entities shall consider the

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AEN committee amendments adopted May 13, 2010.

²Senate SEN committee amendments adopted July 19, 2010.

1 use of biofuels to replace the use of petroleum-based fossil fuels in
2 order to meet the State's goals of reducing dependence on fossil
3 fuels, promoting the production and purchase of clean energy fuels,
4 and reducing greenhouse gas emissions.

5 b. A State entity shall purchase and use biofuels to replace
6 petroleum-based fossil fuels for heating equipment, or other similar
7 combustion systems, motor vehicles, or other motorized equipment,
8 if the State entity determines that the cost of biofuels for the
9 purpose in question is the same or less than the cost of fossil fuels
10 for that purpose, and if the State entity further determines that the
11 use of biofuels to replace fossil fuels for that purpose is reasonable,
12 prudent and cost effective.

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14 4. This act shall take effect immediately.

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19 Requires State entities to purchase biofuels in place of fossil
20 fuels when reasonable, prudent and cost effective.