

SESSION OF 2007

## SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2013

As Recommended by House Committee on  
Agriculture and Natural Resources

### **Brief\***

HB 2013 would amend a section of law dealing with requirements for motor-vehicle fuels and special fuel manufacturer's licenses to clarify that no motor-vehicle fuels or special fuel manufacturer's license would be required for any consumer who is blending motor-vehicle fuel or special fuel purchased for the consumer's own use, and not for resale, from a distributor or retailer who is the holder of a valid, unsuspended and unrevoked motor-vehicle fuels or special fuels distributor's or retailer's license.

### **Background**

This bill was introduced by the Special Committee on Agriculture and Natural Resources from the 2006 Interim. That Committee had, as one of its studies, the charge to examine the requirements for individuals who wished to blend small quantities of biodiesel.

At the hearing on the bill, written testimony was provided by the Kansas Department of Revenue. The testimony indicated that the new language of the bill will clarify in statute that a consumer purchasing biodiesel, blending it with regular diesel, and consuming it for the individual's own use would not need to be licensed and bonded as a manufacturer. The testimony indicates that this statutory language would be consistent with the agency's recently published Notice 06-06, which provides that dyed biodiesel sold to a consumer for off-road use would not be subject to the motor fuel tax.

There were no opponents to the bill.

The fiscal note states that the Department Revenue believes there will be no impact on the State Highway Fund by the passage of the bill.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>