

108TH CONGRESS  
2D SESSION

# S. 2865

To require that automobiles and light trucks are able to operate on a fuel mixture that is at least 85 percent ethanol, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2004

Mr. DAYTON introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

---

## A BILL

To require that automobiles and light trucks are able to operate on a fuel mixture that is at least 85 percent ethanol, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

3        **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Freedom From For-  
5        eign Oil Act of 2004”.

6        **SEC. 2. REQUIREMENT TO PERMIT AUTOMOBILES TO USE**  
7        **CERTAIN ALTERNATIVE FUELS.**

8        (a) REQUIREMENT.—Chapter 329 of title 49, United  
9        States Code, is amended by inserting after section 32902  
10       the following new section:

1 **“§ 32902A. Requirement to equip automobiles to use**  
2 **alternative biofuels**

3 “(a) REQUIREMENT.—A passenger automobile, an  
4 automobile capable of off-highway operation, or a light  
5 truck manufactured by a manufacturer in a model year  
6 that is after model year 2005 and that is capable of oper-  
7 ating on gasoline shall also be capable of operating on a  
8 flexible fuel mixture.

9 “(b) CONSUMER INFORMATION.—The Secretary of  
10 Transportation shall prescribe regulations that require the  
11 manufacturer of a passenger automobile, an automobile  
12 capable of off-highway operation, or a light truck—

13 “(1) to prominently display a permanent badge  
14 or emblem on the quarter panel or tailgate of each  
15 such automobile or light truck manufactured by the  
16 manufacturer that indicates such automobile or light  
17 truck is capable of operating on a flexible fuel mix-  
18 ture; and

19 “(2) to include in the owner’s manual of each  
20 such automobile or light truck information describ-  
21 ing—

22 “(A) the capability of the automobile or  
23 light truck to operate using a flexible fuel mix-  
24 ture; and

25 “(B) the benefits of using a flexible fuel  
26 mixture, including the renewable nature, the in-

1           creased fuel efficiency, and the environmental  
2           benefits of using flexible fuels.

3           “(c) DEFINITIONS.—In this section:

4           “(1) AUTOMOBILE CAPABLE OF OFF-HIGHWAY  
5           OPERATION.—The term ‘automobile capable of off-  
6           highway operation’ has the meaning given that term  
7           in section 523.5 of title 49, Code of Federal Regula-  
8           tions (or any successor regulation).

9           “(2) FLEXIBLE FUEL MIXTURE.—The term  
10          ‘flexible fuel mixture’ means a mixture containing at  
11          least 85 percent of ethanol by volume with gasoline.

12          “(3) LIGHT TRUCK.—The term ‘light truck’ has  
13          the meaning given that term in section 523.5 of title  
14          49, Code of Federal Regulations (or any successor  
15          regulation).”.

16          (b) CLERICAL AMENDMENT.—The table of sections  
17          at the beginning of such chapter is amended by inserting  
18          after the item relating to section 32902 the following new  
19          item:

          “32902A. Requirement to equip automobiles to use alternative biofuels.”.

20       **SEC. 3. PENALTIES.**

21          A person may not be treated as being in violation of  
22          section 32911(a) of title 49, United States Code, if the  
23          person fails to comply with section 32902A of such title,  
24          as added by section 2, on a date that is prior to January  
25          1, 2007.

1 **SEC. 4. ACTIVITIES TO PROMOTE THE USE OF CERTAIN AL-**  
2 **TERNATIVE FUELS.**

3       The Secretary of Transportation shall carry out ac-  
4 tivities to promote the use of a mixture containing at least  
5 85 percent of ethanol by volume with gasoline in motor  
6 vehicles in the United States.

○