

**AMENDMENT NO. 46**

**TO THE CHAIRMAN'S MARK FOR TITLE VII  
OF THE ENERGY POLICY BILL**

**Intended to be proposed by Mr. BINGAMAN**

Purpose: To allow fleets to opt out of the requirements of the alternative fuel fleet program.

Viz:

1 On page 6, following line 16, insert the following:

2 **SEC. 709. ALTERNATIVE COMPLIANCE.**

3 Title V of the Energy Policy Act of 1992 is amended by adding at the end the following:

4 **“SEC. 515. ALTERNATIVE COMPLIANCE.**

5 (a) APPLICATION FOR WAIVER.— Any covered person subject to the requirements of  
6 section 501 and any State subject to the requirement of section 507(o) may petition the Secretary for a  
7 waiver of the applicable requirements of section 501 or 507(o).

8 (b) GRANT OF WAIVER.— The Secretary may grant a waiver of the requirements of section  
9 501 or 507(o) upon a showing that the fleet owned, operated, leased, or otherwise controlled by the  
10 State or covered person—

11 (1) will achieve a reduction in its annual consumption of petroleum fuels equal to the  
12 reduction in consumption of petroleum that would result from compliance with section 501 or

1           507(o); and

2                   (2) is in compliance with all applicable vehicle emission standards established by the  
3           Administrator under the Clean Air Act.

4           (c) REVOCATION OF WAIVER.– The Secretary shall revoke any waiver granted under this  
5           section if the State or covered person fails to comply with the requirements of subsection (b).