

Clean Cities Technical Response Service (TRS) Question of the Month

Question of the Month: *What are the requirements for federal fleets under the Energy Policy Act of 1992 (EPAc 1992) and subsequent regulations and directives?*

Answer:

EPAc 1992, EPAc 2005, and National Defense Authorization Act (NDAA) of 2008

Under EPAc 1992

(https://federalfleets.energy.gov/federal_requirements/fleet_requirements/by_regulation#epact92), 75% of new covered light-duty vehicles (LDVs) acquired by federal fleets must be alternative fuel vehicles (AFVs). Federal fleets are considered covered fleets if *both* of the following conditions are met:

- They own, operate, lease, or otherwise control 20 or more non-excluded LDVs (vehicles with a gross vehicle weight rating of 8,500 pounds or less) that are used primarily within a single metropolitan statistical area. Excluded vehicles include emergency, law enforcement, military tactical, and non-road vehicles, and
- Those same 20 vehicles are centrally fueled or capable of being centrally fueled.

NDAA of 2008 expanded EPAc 1992's definition of AFVs to include hybrid electric vehicles, fuel cell vehicles, advanced lean burn technology vehicles, and any low-greenhouse gas (GHG) emitting vehicle (as defined by the U.S. Environmental Protection Agency) acquired in a location that would qualify for an EPAc 2005, Section 701 fuel waiver. Section 701 of EPAc 2005 requires federal fleets to use alternative fuels in dual-fuel vehicles unless the U.S. Department of Energy (DOE) determines an agency qualifies for a waiver; grounds for a waiver include the lack of alternative fuel availability (within five miles or 15 minutes from the vehicle's garaged location) and cost restrictions (alternative fuel is more expensive per gallon than gasoline). To find information about waived fleets in your area, visit the Sustainable Federal Fleet Performance Data website (http://federalfleets.energy.gov/performance_data).

Federal fleets comply with EPAc 1992 requirements using AFV acquisition credits, which are granted based on the number of AFVs acquired and the volume of biodiesel fuel used. If an agency's total AFV credits divided by the number of covered LDV acquisitions in a fiscal year (FY) equals 75% or greater, the agency is considered to be in compliance. Federal fleets earn credits for each light-, medium-, or heavy-duty AFV they acquire each year and for every 450 gallons of pure biodiesel (B100), equivalent to 2,250 gallons of B20, used in fleet vehicles.

For more information on EPAc 1992, please refer to the Federal Energy Management Program's (FEMP) EPAc 1992 website (<https://www1.eere.energy.gov/femp/regulations/epact1992.html>), as well as the full text of EPAc 1992 (<http://thomas.loc.gov/cgi-bin/query/z?c102:H.R.776.ENR:>).

Executive Orders

Executive Order (E.O.) 13423

(https://federalfleets.energy.gov/federal_requirements/fleet_requirements/by_regulation#13423) require federal agencies with 20 or more non-excluded vehicles in their U.S. fleet to decrease petroleum consumption by 2% each year, relative to their FY 2005 baseline, through the end of FY 2015, for a total

reduction of 20%. Agencies must also continue to increase their alternative fuel use by 10% per year, relative to the previous year over the same timeframe, yielding an approximately 159% increase.

E.O. 13514

(https://federalfleets.energy.gov/federal_requirements/fleet_requirements/by_regulation#13514) requires each federal agency to develop, implement, and annually update a Strategic Sustainability Performance Plan. Federal agencies must measure, reduce, and report their GHG emissions, with an overall federal government direct GHG emissions reduction goal of 28% by 2020, relative to a FY 2008 baseline. Reductions may be achieved through a variety of measures including reducing vehicle use, increasing fleet fuel efficiency, using AFVs, and implementing fleet optimization efforts. In addition, E.O. 13514 extended petroleum reduction targets established by E.O. 13423 to FY 2020, for a total future reduction of 30%.

Energy Independence and Security Act of 2007 (EISA)

Further requirements for federal fleets were included in the EISA 2007

(https://federalfleets.energy.gov/federal_requirements/fleet_requirements/by_regulation#eisa), including fleet management plan requirements (Section 142), low-GHG emitting vehicle acquisition requirements (Section 141), and renewable fuel infrastructure installation requirements (Section 246). DOE is currently developing a rulemaking on the alternative fuel increase requirements under EISA Section 142.

For a summary of federal agency fleet requirements, refer to the Sustainable Federal Fleets website (<https://federalfleets.energy.gov/>) and Alternative Fuels Data Center Vehicle Acquisition and Fuel Use Requirements for Federal Fleets summary (<http://www.afdc.energy.gov/laws/law/US/357>). Also refer to the Clean Cities University course (<http://www1.eere.energy.gov/cleancities/toolbox/university.html>) on Understanding EAct-Regulated Fleets and the FEMP training course on Fleet Management 101 (http://apps1.eere.energy.gov/femp/training/course_detail_ondemand.cfm/CourseId=51). In addition, the chart below provides a breakdown of the key federal requirements described above:

Federal Fleet Requirements				
	EPAct (1992 & 2005)	E.O. 13423	EISA 2007	E.O. 13514
GHG Emissions Reduction			All LDV & medium-duty vehicle (MDV) acquisitions must be low-GHG emitting vehicles	Sets percentage reduction targets for agency GHG emissions
Petroleum Reduction		2% annual reduction in petroleum use between FY 2005 and FY 2015	E.O. 13423 requirement becomes law	2% annual reduction in petroleum use between FY 2005 and FY 2020
Fleet Planning			Develop agency plan to meet petroleum and alternative fuel goals	Develop agency plan to meet E.O. 13514 sustainability goals

Federal Fleet Requirements				
	EPAct (1992 & 2005)	E.O. 13423	EISA 2007	E.O. 13514
Alternative Fuel Use	Dual-fueled AFVs must use alternative fuel, unless waived	Increase alternative fuel use 10% from previous year	Install renewable pumps at all fueling centers	
AFV Acquisition	AFVs must be 75% of light-duty acquisitions	Use plug-in hybrid electric (PHEVs) when commercially available	All LDV & MDV acquisitions must be low-GHG emitting vehicles	

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