

**§1663. Sale of biodiesel, biomass-based diesel, biomass-based diesel blends and biodiesel blends**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Biodiesel" means a renewable fuel composed of biodegradable mono-alkyl esters of long chain fatty acids derived from plant oils or animal fats that meets the requirements of the most recent ASTM International standard D6751. "Biodiesel" includes fuel that otherwise meets the requirements of this paragraph and also contains up to 1% diesel fuel. [PL 2023, c. 646, Pt. A, §11 (AMD).]

A-1. "Biodiesel blend" means a blend of diesel fuel that contains greater than 5% by volume of biodiesel and meets the requirements of the most recent ASTM International standard D7467. [PL 2023, c. 43, §1 (NEW).]

B. "Biomass-based diesel" means a diesel fuel substitute produced from nonpetroleum renewable resources that meets the registration requirements for fuels and fuel additives established by the United States Environmental Protection Agency under 42 United States Code, Section 7545 (2012). [PL 2013, c. 124, §1 (NEW).]

C. "Biomass-based diesel blend" means a blend of diesel fuel that contains greater than 5% by volume of biomass-based diesel. [PL 2023, c. 43, §1 (AMD).]  
[PL 2023, c. 646, Pt. A, §11 (AMD).]

**2. Number 2 heating oil.** For purposes of this section, all references to diesel include #2 heating oil.  
[PL 2013, c. 124, §1 (NEW).]

**3. Transfer document.** A person that sells or otherwise transfers title to a fuel containing biodiesel, biomass-based diesel, biomass-based diesel blend or biodiesel blend to any other person for resale of the product shall prepare a document evidencing the transfer. This transfer document may be in the form of an invoice, bill of lading, bill of sale or other written instrument meeting the requirements of this subsection. This transfer document must include the name of the transferor, the name of the transferee, the date of the transfer, the volume in gallons of the product transferred and either the volume in gallons or the percentage of biomass-based diesel or biodiesel that is contained in the blended product. A person making such a transfer shall maintain the transfer document required by this subsection for a period of 4 years from the transfer date. As used in this subsection, the term "resale" does not include a sale of product purchased at a retail outlet.  
[PL 2023, c. 43, §1 (AMD).]

**4. Transferee not liable.** A transferee of fuel containing a biodiesel, biomass-based diesel, biomass-based diesel blend or biodiesel blend is not liable for failing to verify the accuracy of the information included in a transfer document conforming to the requirements of subsection 3 or for other liability arising from the transferee's reliance on that information.  
[PL 2023, c. 43, §1 (AMD).]

**5. Supplement other requirements.** The requirements of this section are in addition to any other requirements or standards in law.  
[PL 2023, c. 43, §1 (AMD).]

**SECTION HISTORY**

PL 2013, c. 124, §1 (NEW). PL 2023, c. 43, §1 (AMD). PL 2023, c. 646, Pt. A, §11 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.
--