

House File 860 - Introduced

HOUSE FILE 860
BY COMMITTEE ON NATURAL
RESOURCES

(SUCCESSOR TO HSB 214)

A BILL FOR

1 An Act prohibiting state and local regulations on fuel-powered
2 equipment based on the equipment's fuel source.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 214A.41 Definitions.

2 As used in this subchapter, unless the context otherwise
3 requires:

4 1. "*Fuel source*" means any of the following:

5 a. Any substance or combination of substances that is used
6 to power an internal combustion engine, including but not
7 limited to a biofuel, diesel fuel, gasoline, hydrogen, propane,
8 or a renewable fuel.

9 b. Any source of energy delivered or placed into the
10 battery or other energy storage device that is used to power
11 an electric motor.

12 2. "*Fuel-powered equipment*" means any good subject to
13 a contract for sale under chapter 554, article 2, that is
14 manufactured to be operated with an engine or motor, regardless
15 of whether it is self-propelled.

16 3. "*Government entity*" means any of the following:

17 a. A principal central department of the executive branch
18 as enumerated in section 7E.5, or a state authority, board,
19 commission, council, or independent agency that is not under
20 the direction of a principal central department as enumerated
21 in section 7E.5.

22 b. A political subdivision of the state, including but
23 not limited to a county as provided in chapter 331 or city as
24 provided in chapter 364.

25 Sec. 2. NEW SECTION. 214A.42 State and local regulation
26 governing fuel-powered equipment — prohibition.

27 A government entity shall not adopt or continue in effect
28 any regulation, including in the form of a rule, ordinance, or
29 resolution, that does any of the following:

30 1. Prohibits or restricts a person from possessing,
31 storing, transferring, acquiring, operating, maintaining,
32 repairing, or reusing fuel-powered equipment or parts of
33 fuel-powered equipment solely because such equipment is
34 manufactured to be powered by a specific fuel source.

35 2. Requires that a person selling fuel-powered equipment or

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1 parts thereof because such equipment is manufactured to be
2 powered by a specific fuel source. The bill also prohibits
3 a government entity from requiring a seller of fuel-powered
4 equipment or parts thereof to sell or maintain an inventory
5 of fuel-powered equipment or parts thereof solely because the
6 equipment is manufactured to be powered by a specific fuel
7 source.