



Sen. David Koehler

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1 AMENDMENT TO SENATE BILL 41

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 41 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Clean  
5 Transportation Standard Act.

6 Section 5. Findings. The General Assembly finds that:

7 (1) The transportation sector in this State is a  
8 leading source of criteria air pollutants and greenhouse  
9 gas emissions, which collectively endanger public health  
10 and welfare by causing and contributing to increased air  
11 pollution and climate change.

12 (2) Shifting from petroleum-based transportation fuels  
13 to alternative fuels has the potential to significantly  
14 reduce transportation emissions of air pollutants and  
15 greenhouse gases and is recommended by the  
16 Intergovernmental Panel on Climate Change as an important

1 pathway for holding global warming at 1.5 degrees Celsius.  
2 The clean transportation standard would promote innovation  
3 in, and production and use of, nonpetroleum fuels that  
4 reduce vehicle-related and fuel-related air pollution that  
5 endangers public health and welfare and disproportionately  
6 impacts disadvantaged communities.

7 (3) Credits generated through the use of clean fuel  
8 under this Act will promote innovation and investment in  
9 clean fuels.

10 (4) Some of the most fertile soils in the world are  
11 found in this State, with the State boasting the  
12 productive silty clay loam soil, and with a majority of  
13 the cropland in the State being considered prime farmland.

14 (5) State fertile soils, however, are subject to  
15 ongoing degradation as soil erosion has contributed to the  
16 loss of fertile topsoil we need to grow crops.

17 (6) Sustainable agriculture can be used to restore the  
18 State's degraded soils to counteract loss of topsoil in  
19 recent years.

20 (7) An agricultural credit program will work to  
21 restore degraded soils and to produce soil health benefits  
22 accrued to the people of the State.

23 Section 10. Definitions. As used in this Act:

24 "Advance credits" refers to credits awarded under this Act  
25 for real greenhouse gas emissions that will occur in future

1 years.

2 "Agency" means the Environmental Protection Agency.

3 "Aggregator" or "credit aggregator" means any party other  
4 than a deficit generator that offers to purchase credits from  
5 one or more credit generators or on-farm credit generators for  
6 resale to deficit generators.

7 "Alternative compliance credit" means a credit made  
8 available at the price cap for compliance purposes and in  
9 accordance with the provisions of paragraphs (4) and (5) of  
10 subsection (a) of Section 20.

11 "Automatic adjustment mechanism" means a mechanism which  
12 advances all subsequent annual carbon intensity standards by  
13 one year or reduces all subsequent annual carbon intensity  
14 standards by 50% when conditions are met as specified in  
15 Section 20.

16 "Aviation fuel" means a fuel suitably blended to be used  
17 in aviation engines.

18 "Backstop aggregator" means a qualified nonprofit entity  
19 approved by the Agency to aggregate credits for electricity  
20 used as a transportation fuel when those credits would not  
21 otherwise be generated.

22 "Board" means the Pollution Control Board.

23 "Carbon intensity" means the amount of life cycle  
24 greenhouse gas emissions per unit of fuel energy expressed in  
25 grams of carbon dioxide equivalent per megajoule.

26 "Clean fuel" means a transportation fuel that is eligible

1 for 45Z clean fuel production credit, as defined in H.R. 1 of  
2 the 119th Congress, and has a carbon intensity below the clean  
3 transportation standard carbon intensity standard in a given  
4 year.

5 "Clean transportation standard" means the standard adopted  
6 by the Board under Section 15 for the reduction, on average, of  
7 life cycle carbon intensity of fuels used for on-road  
8 transportation.

9 "Consumer Price Index for All Urban Consumers" means the  
10 index published by the Bureau of Labor Statistics of the  
11 United States Department of Labor that measures the average  
12 change in prices of goods and services, United States city  
13 average, all items.

14 "Credit" means a unit of measure generated when clean fuel  
15 is provided for use in this State, such that one credit is  
16 equal to one metric ton of carbon dioxide equivalent.

17 "Credit generator" means an individual or entity, other  
18 than an on-farm credit generator, that has registered, on a  
19 mandatory or permissive basis, to participate in the clean  
20 transportation standard and generates a credit.

21 "Committee" means the Clean Transportation Standard  
22 Agricultural Committee created under Section 20.

23 "Deficit" means a unit of measure generated when a fuel  
24 provided in this State has a carbon intensity that exceeds the  
25 clean transportation standard for the applicable year,  
26 expressed in metric tons of carbon dioxide equivalent.

1 "Deficit generator" means an individual or entity that has  
2 registered, on a mandatory or permissive basis, to participate  
3 in the clean transportation standard and generates a deficit.

4 "Fuel" means any one or more of the following that is used  
5 to power vehicles or equipment for the purpose of  
6 transportation: electricity or a liquid, gaseous, or blended  
7 fuel, including gasoline, diesel, liquefied petroleum gas,  
8 natural gas, or hydrogen.

9 "Fuel pathway" means a detailed description of all stages  
10 of a transportation fuel's production and use, including  
11 feedstock growth, extraction, processing, transportation,  
12 distribution, and combustion or use by an end user.

13 "Life cycle carbon intensity" means the quantity of  
14 greenhouse gas emissions per unit of energy, expressed in  
15 carbon dioxide equivalent per megajoule, emitted by the fuel,  
16 including both direct and indirect sources, as calculated by  
17 the Agency under paragraph (2) of subsection (a) of Section 20  
18 using the methods described under Section 30.

19 "Military tactical vehicle" means a motor vehicle owned by  
20 the United States Department of Defense or the United States  
21 military services and used in combat, combat support, combat  
22 service support, or tactical or relief operations or training  
23 for such operations.

24 "On-farm credit generator" means the person who has  
25 registered on a permissive basis and assumes the variable cost  
26 and risk of on-farm best practices and standards that

1 generates credits and implements those practices on acreage in  
2 the State.

3 "Petroleum-only portion" means the component of gasoline  
4 or diesel fuel before blending with ethanol, biodiesel,  
5 biofuel, or other clean fuel.

6 "Provider" means:

7 (1) with respect to any liquid fuel, hydrogen fuel,  
8 and renewable propane used as a fuel source for  
9 transportation, the person who refines, produces, or  
10 imports the fuel;

11 (2) with respect to any biomethane, the person who  
12 imports or produces, refines, treats, or otherwise  
13 processes biogas into biomethane used as a fuel source for  
14 transportation;

15 (3) with respect to electricity used as a fuel source  
16 for transportation, the person who is the direct provider  
17 of electricity, the electric vehicle charging service  
18 provider, the electric utility, the electric vehicle fleet  
19 operator, the electric vehicle manufacturer, and the  
20 owners or operators of charging stations located on  
21 commercial property; or

22 (4) with respect to other types of fuel, a person  
23 determined to be the provider by the Agency.

24 "Provider" does not include the owner or operator of a  
25 residential charging station.

26 "Sustainable aviation fuel" means an aviation fuel with a

1 carbon intensity sufficient to generate credits under the  
2 clean transportation standard upon its production or supply.

3 "Tactical support equipment" means equipment using a  
4 portable engine, including turbines, that meets military  
5 specifications, is owned by the United States Department of  
6 Defense or the United States military services or its allies,  
7 and is used in combat, combat support, combat service support,  
8 or tactical or relief operations or training for such  
9 operations. "Tactical support equipment" includes, but is not  
10 limited to, engines associated with portable generators,  
11 aircraft start carts, heaters, and lighting carts.

12 Section 15. Rulemaking, implementation, and baseline  
13 calculations for clean transportation standard.

14 (a) To the extent allowed by federal law, within 24 months  
15 after the effective date of this Act, the Agency shall propose  
16 and the Board shall adopt rules in accordance with Section 20  
17 establishing the clean transportation standard in order to  
18 reduce, after a 12-month implementation period for the clean  
19 transportation standard, within 10 years of the adoption of  
20 the Agency's rules by the Board, the life cycle carbon  
21 intensity of fuels for the ground transportation sector by 30%  
22 below the 2019 baseline level as calculated under this  
23 Section. Immediately after rules establishing the clean  
24 transportation standard are adopted by the Board, the Agency  
25 shall open a 12-month implementation period for credit

1 generators, deficit generators, and on-farm credit generators  
2 to register in the clean transportation standard as required  
3 under this Act and in accordance with the adopted rules. All  
4 entities must be in compliance with the rules by the end of the  
5 second year after the effective date of this Act. After the 30%  
6 reduction described in this Section is attained or at the end  
7 of the 10-year period, the Agency shall prepare a report that  
8 proposes further reductions in the life cycle carbon intensity  
9 of fuels for the ground transportation sector for the  
10 following 10 years. The report prepared by the Agency shall  
11 include proposed changes to this Act that are required to  
12 implement those reductions. The rules proposed and adopted  
13 shall be subject to public notice and comment under the  
14 Illinois Administrative Procedure Act. The Board may recommend  
15 to the General Assembly reductions to the clean transportation  
16 standard below those adopted in accordance with this Act using  
17 factors, including, but not limited to, advances in clean fuel  
18 technology. The rules adopted by the Board under this Section  
19 shall include fees for the registration of credit generators,  
20 deficit generators, and on-farm credit generators to offset  
21 the costs incurred by the Board and the Agency that are  
22 associated with implementing the clean transportation  
23 standard. These fees shall be used only in connection with the  
24 administration of the clean transportation standard and may be  
25 levied differently for credit generators, deficit generators,  
26 and on-farm credit generators.

1 (b) Prior to proposing the rules establishing the clean  
2 transportation standard, the Agency shall solicit feedback  
3 from and consult with the Clean Transportation Standard  
4 Advisory Council made up of the following members, to be  
5 appointed within 90 days after the effective date of this Act  
6 by the Governor, in consultation with the President of the  
7 Senate, the Speaker of the House of Representatives, the  
8 Minority Leader of the Senate, and the Minority Leader of the  
9 House of Representatives: one representative from the fuel  
10 production industry; one representative from the renewable  
11 fuel industry; one representative from the transportation  
12 industry; one representative from the State's largest general  
13 farm organization; one representative from an electric vehicle  
14 manufacturer; one representative from an electric vehicle  
15 charging network; one representative from an organization  
16 representing the State's largest feedstock used for biofuel  
17 production; one representative from an organization  
18 representing the State's largest feedstock used for biodiesel  
19 production; one representative from an environmental advocacy  
20 organization; one representative from an organization  
21 representing utilities and power generation companies; one  
22 representative of a labor organization; one representative  
23 from an impacted environmental justice community, as defined  
24 in Section 801-10 of the Illinois Finance Authority Act; one  
25 representative from the Department of Agriculture; and one  
26 representative from the Department of Transportation. The

1 Clean Transportation Standard Advisory Council shall meet at  
2 least once every 6 months with the Agency during the  
3 development of the clean transportation standard rules. The  
4 Agency shall include or address the feedback received from the  
5 advisory committee in the proposed rules.

6 (c) The Agency shall calculate the baseline carbon  
7 intensities of the petroleum-only portion of all  
8 transportation fuels produced or imported in 2019 for use in  
9 this State by, in accordance with Section 30:

10 (1) reviewing and considering the best available  
11 applicable scientific data and calculations; and

12 (2) using a life cycle emissions, performance-based  
13 approach that is technology-and-feedstock neutral.

14 (d) The Agency shall calculate the life cycle emissions of  
15 nonpetroleum portions of transportation fuels in accordance  
16 with Section 30.

17 Section 20. Contents of the clean transportation standard;  
18 the Clean Transportation Standard Agricultural Committee.

19 (a) The clean transportation standard adopted by the  
20 Board, by rule, shall:

21 (1) apply to all providers in the State;

22 (2) be measured based on a life cycle carbon intensity  
23 that shall be calculated by the Agency in accordance with  
24 Section 30;

25 (3) recognize voluntary farm emissions reductions that

1 contribute to the reduced carbon intensity of fuels by  
2 allowing credit generators to use individualized  
3 farm-level carbon intensity scoring for approved  
4 sustainable agricultural practices and by requiring the  
5 Agency to use the GREET model's Feedstock Carbon Intensity  
6 Calculator to determine individualized farm-level carbon  
7 intensity scoring;

8 (4) include a credit price cap that is to be  
9 established by the Agency and published by the Board;

10 (5) ensure compliance with the price cap in paragraph  
11 (4) by (i) requiring evidence of an unfulfilled public  
12 tender for credit purchase at the cap price by any party  
13 claiming an inability to acquire credits needed for  
14 compliance, (ii) establishing a facility for the Agency or  
15 a designated nonprofit entity to sell alternative  
16 compliance credits at the cap price value plus one  
17 percent, and (iii) creating an approved list of uses for  
18 revenue from the sale of alternative compliance credits  
19 that increase access to and use of credit generating fuels  
20 produced from in-state resources and on-farm credit  
21 generating activities;

22 (6) contain a credit clearance market, as described in  
23 subsection (i) of Section 25, for any compliance period in  
24 which at least one regulated entity reports that the  
25 regulated entity has a net deficit balance at the end of  
26 the compliance period, after retirement of all credits

1 held by the regulated entity. The Agency shall set a  
2 maximum price for credits in a credit clearance market  
3 that shall be adjusted annually by the rate of inflation,  
4 consistent with subsection (i) of Section 25;

5 (7) contain a structure for compliance that conforms  
6 with the marketplace system described in Section 25,  
7 including, but not limited to, details, such as:

8 (A) methods for assigning compliance obligations  
9 and methods for tracking tradable credits;

10 (B) mechanisms that allow credits to be traded,  
11 transferred, sold, and banked for future compliance  
12 periods;

13 (C) mechanisms that provide for the creation of a  
14 list of accepted credit transactions and a list of  
15 prohibited forms of credit transactions, which may  
16 include trades involving, related to, or associated  
17 with:

18 (i) any manipulative or deceptive device;

19 (ii) a corner or an attempt to corner the  
20 market for credits;

21 (iii) fraud or an attempt to defraud any other  
22 entity;

23 (iv) false, misleading, or inaccurate reports  
24 concerning information or conditions that affect  
25 or tend to affect the price of a credit; or

26 (v) applications, reports, statements, or

1 documents required to be filed under this Act that  
2 are false or misleading with respect to a material  
3 fact or that omit a material fact necessary to  
4 make the contents therein not misleading.

5 This subparagraph may not prohibit the voluntary  
6 sale of credits by credit generators to any party  
7 otherwise acting in compliance with this Act. Credits  
8 generated outside of the clean transportation standard  
9 established under this Act shall be ineligible for  
10 sale or purchase for compliance purposes required  
11 under this Act;

12 (D) procedures for verifying the validity of  
13 credits and deficits generated under the clean  
14 transportation standard;

15 (E) mechanisms by which persons associated with  
16 the supply chains of transportation fuels that are  
17 used for purposes that are exempt from the clean  
18 transportation standard described in Section 40 and  
19 persons that are associated with the supply chains of  
20 transportation fuels and will generate credits may  
21 register with the Agency to participate in the clean  
22 transportation standard;

23 (F) an administrative procedure by which a deficit  
24 generator may contest the Board's or Agency's  
25 calculation prior to the levying of a penalty for  
26 failure to remedy a given deficit; and

1 (G) procedures that will allow the Agency to  
2 cancel or reverse (i) a credit transfer that is  
3 determined to be a prohibited transaction under items  
4 (i) through (v) of subparagraph (C) or (ii) any other  
5 prohibited transaction as determined by the Board in  
6 rulemaking;

7 (8) contain the clean transportation standard review  
8 procedure whereby the Board or Agency shall, at least  
9 every 3 years after the implementation period for the  
10 clean transportation standard ends, solicit feedback from  
11 and consult with the Clean Transportation Standard  
12 Advisory Council. The Agency shall include or address the  
13 feedback received from the Clean Transportation Standard  
14 Advisory Council during the program review procedure in  
15 any proposed rule amendments. The substance of the  
16 consultations shall include, but may not be limited to:

17 (A) a review of the economic impact, including  
18 impact to fuel prices, of the clean transportation  
19 standard;

20 (B) whether the clean transportation standard is  
21 adhering to the established carbon intensity reduction  
22 goals;

23 (C) recommendation if adjustments to the carbon  
24 intensity reduction targets should be considered;

25 (D) recommendation to update the models used to  
26 calculate the carbon intensity of fuels;

1 (E) the health impact of the emissions reductions  
2 on disadvantaged environmental justice communities, as  
3 defined in Section 801-10 of the Illinois Finance  
4 Authority Act; and

5 (F) whether impact on access to transportation has  
6 been affected as a result of the implementation of the  
7 clean transportation standard;

8 (9) include annual carbon intensity reduction  
9 standards that are to be met by deficit generators and  
10 that result in the attainment of carbon intensity  
11 reduction targets set by the Board;

12 (10) maximize benefits to the environment and natural  
13 resources and develop safeguards and incentives to protect  
14 natural lands and enhance environmental integrity,  
15 including biodiversity;

16 (11) aim to support, through credit generation or  
17 other financial means, voluntary farmer-led efforts to  
18 adopt agricultural practices that benefit soil health and  
19 water quality;

20 (12) include mechanisms that account for the carbon  
21 intensity scores of domestic feedstocks, such that:

22 (A) the default carbon intensity score shall be  
23 the average national carbon intensity for such  
24 feedstock, calculated consistent with Section 30;

25 (B) as an alternative to subparagraph (A), a  
26 provider may use either the average statewide carbon

1 intensity score or the average countywide carbon  
2 intensity score from the state or county where a  
3 provider's domestic feedstock is sourced, calculated  
4 consistent with Section 30;

5 (C) a provider may:

6 (i) use an individualized field level carbon  
7 intensity score supplied by an on-farm operator or  
8 on-farm credit generator in the production process  
9 of clean fuel, calculated consistent with Section  
10 30; or

11 (ii) purchase credits generated by on-farm  
12 credit generators.

13 The provider shall have no liability for falsely  
14 submitted information;

15 (D) if a provider sources domestic feedstock from  
16 a combination of sources under subparagraphs (A) and  
17 (B), the carbon intensity scores from each source of  
18 domestic feedstock used in the production of clean  
19 fuel shall be averaged proportionally based on the  
20 percentage of each source of domestic feedstock  
21 compared to the total domestic feedstock used in the  
22 production process; and

23 (E) carbon intensity reductions made by on-farm  
24 credit generators that are recognized in the  
25 production process of a clean fuel shall not be  
26 accounted for by the provider separately and shall be

1           retired;

2           (13) allow on-farm credit generators to participate in  
3           other local, in-State, and federal programs that promote  
4           and encourage the growth and cultivation of lower-carbon  
5           intensity produced feedstocks;

6           (14) seek to improve air quality and public health,  
7           targeting communities that bear a disproportionate health  
8           burden from transportation pollution;

9           (15) support equitable transportation electrification  
10          that benefits all communities and is powered primarily  
11          with low-carbon and carbon-free electricity;

12          (16) contain mechanisms that allow electric vehicle  
13          manufacturers, electric vehicle charging companies, and  
14          electric utilities to earn credits attributable to the  
15          charging of electric vehicles at residences;

16          (17) contain mechanisms that allow entities to match  
17          electric vehicle charging activity with qualified  
18          renewable electricity to achieve more substantial carbon  
19          intensity reductions and generate additional credits;

20          (18) contain mechanisms that allow transit network  
21          operators to earn credits attributable to the use of  
22          electric vehicles, including fixed guideway rail systems,  
23          in their operations;

24          (19) establish provisions governing the application  
25          for and retirement of advance credits. All advance credits  
26          must represent actual reductions of greenhouse gas

1 emissions against the clean transportation standard.  
2 Advance credits may be earned by qualified public fleets,  
3 private fleets, and public fast charging sites, subject to  
4 the approval of the Agency. Fleet vehicles must be  
5 registered in the State to be eligible to earn advance  
6 credits;

7 (20) establish, in consultation with the Department of  
8 Agriculture and the Department of Transportation, a  
9 procedure for determining fuel pathways that:

10 (A) is consistent with Section 25;

11 (B) is consistent for all fuel types;

12 (C) is based on science and engineering; and

13 (D) accounts for any on-site additional energy use  
14 by a carbon capture technology employed in the fuel  
15 production process, including, but not limited to,  
16 generation, distillation, and compression;

17 (21) contain mechanisms to excuse noncompliance from  
18 enforcement action if compliance is impossible, including  
19 rules that shall specify the criteria and procedures for  
20 the Agency to determine whether a period of noncompliance  
21 is excusable in accordance with Sections 50 and 55;

22 (22) provide indirect accounting mechanisms, such as  
23 book-and-claim or mass-balancing for clean fuels entering  
24 fungible supply systems that can access this State; and

25 (23) contain an automatic adjustment mechanism that  
26 shall be implemented no earlier than the third compliance

1 period after rules establishing the clean transportation  
2 standard are adopted by the Board, with the intention to  
3 provide adjustments to the carbon intensity reduction  
4 standards during periods of sustained and significant  
5 overperformance or underperformance.

6 As used in this paragraph:

7 "Overperformance" means when the total number of  
8 credits in the credit bank exceeds the total number of  
9 deficits generated during the prior 4 consecutive quarters  
10 by 150%, and the total number of credits generated during  
11 the prior 4 consecutive quarters exceeds the total number  
12 of deficits generated during the prior 4 consecutive  
13 quarters.

14 "Underperformance" means when the total number of  
15 credits in the credit bank is less than 20% of the total  
16 number of deficits generated during the prior 4  
17 consecutive quarters, and the total number of credits  
18 generated during the prior 4 consecutive quarters is less  
19 than the total number of deficits generated during the  
20 prior 4 consecutive quarters.

21 (A) An adjustment mechanism cannot be implemented:

22 (i) prior to 4 consecutive quarters of being  
23 last triggered; or

24 (ii) within 2 compliance periods if the annual  
25 carbon intensity standard was adjusted as part of  
26 the clean transportation standard review.

1           (B) Starting the first quarter of the second  
2 compliance period, and every quarter thereafter, the  
3 Agency shall announce whether the conditions of this  
4 paragraph have been met for that quarter and the  
5 cumulative number of quarters that the conditions have  
6 been met. This announcement shall take place on  
7 February 15, May 15, August 15, and November 15 of each  
8 year.

9           (C) If the conditions in this subsection have been  
10 met, the Agency shall post updated annual carbon  
11 intensity standards on the Agency's website on May 15,  
12 following the announcement that the automatic  
13 adjustment mechanism has been triggered.

14           (i) If there is a period of sustained and  
15 significant overperformance and the conditions in  
16 item (i) of subparagraph (A) have been met, all  
17 annual carbon intensity standards shall be  
18 advanced by one year.

19           (ii) If there is a period of sustained and  
20 significant underperformance and the conditions in  
21 item (ii) of subparagraph (A) have been met, all  
22 annual carbon intensity standards shall be reduced  
23 by 50% of the annual carbon intensity standards.

24           (iii) The updated annual carbon intensity  
25 standards shall replace the prior annual carbon  
26 intensity standards and shall take effect at the

1 beginning of the compliance period after the  
2 Agency posted the updated annual carbon intensity  
3 standards on the Agency's website.

4 (b) The rules adopted by the Board shall include  
5 provisions enabling the generation of credits by on-farm  
6 credit generators that produce feedstocks.

7 (1) The rules shall establish a process for on-farm  
8 credit generation that:

9 (A) is pragmatic and informed by actual farming  
10 operations and recordkeeping practices;

11 (B) promotes annual crop rotations that include 2  
12 or more distinct crops, improves yields, helps manage  
13 pests, reduces nitrogen fertilizer needs, and improves  
14 general soil health;

15 (C) minimizes costs and operational burdens for  
16 participating farmers;

17 (D) ensures accuracy in greenhouse gas emission  
18 reduction claims by using the GREET model's Feedstock  
19 Carbon Intensity Calculator to determine carbon  
20 intensity scoring;

21 (E) provides fair opportunity for farmer  
22 participation in market activities as credit sellers;

23 (F) is updated every 2 years to reflect the  
24 continuous improvement in optimizing low-cost,  
25 efficient accounting practices that deliver high  
26 integrity results;

1 (G) ensures the Agency shall protect farm data by  
2 ensuring farmer ownership of data for a specified  
3 amount of time or a period negotiated and agreed to by  
4 the farmers on an annual basis; and

5 (H) uses a verification process that is in  
6 compliance with and does not exceed subsection (c) of  
7 Section 25.

8 (2) The Department of Agriculture shall maintain a  
9 public list of best practices and approved accounting  
10 methods reflecting the Committee's recommendations.

11 (A) The Department of Agriculture shall publish  
12 and certify an initial list immediately after rules  
13 establishing the clean transportation standard are  
14 adopted by the Board.

15 (B) The Department of Agriculture shall publish  
16 and certify an updated list no later than June 1 in the  
17 second year after the completion of the implementation  
18 period for the clean transportation standard and by  
19 June 1 every 2 years thereafter to reflect improving  
20 and evolving methods of on-farm greenhouse gas  
21 accounting practices.

22 (3) Within 90 days after the effective date of this  
23 Act, the Director of the Department of Agriculture, in  
24 consultation with the Agency, shall appoint and facilitate  
25 the Clean Transportation Standard Agricultural Committee  
26 for the purpose of making and updating recommendations of

1 best practices to enable the implementation of on-farm  
2 crediting and accounting practices.

3 (A) The Committee shall consist of the following  
4 members:

5 (i) the Director of Agriculture or a  
6 designated appointee from the Department of  
7 Agriculture;

8 (ii) a State Natural Resources Conservation  
9 Service agronomist;

10 (iii) a member from the State's largest farm  
11 organization;

12 (iv) a member from the organization that  
13 represents the State's largest feedstock used for  
14 biofuel production;

15 (v) a member from the organization that  
16 represents the State's largest feedstock used for  
17 biodiesel production;

18 (vi) a certified crop advisor with cover crop  
19 expertise;

20 (vii) an extension specialist with row crop  
21 production credentials;

22 (viii) a specialist in the GREET model and  
23 life cycle analysis;

24 (ix) 2 representatives of organizations  
25 representing conservation or environmental  
26 interests that work on climate smart agriculture

1 with farmers; and

2 (x) a University of Illinois, College of  
3 Agriculture, Consumer, and Environmental Sciences  
4 economist specializing in row crop production  
5 practices.

6 (B) The Committee shall:

7 (i) develop a list of best practices and  
8 standards that are considered for greenhouse gas  
9 and carbon reduction and ensure that technical  
10 experts from the field evaluate the greenhouse gas  
11 and carbon benefit of those practices to  
12 understand how they will be conducted on-farm;

13 (ii) evaluate different ecosystem service  
14 market mechanisms and the clean transportation  
15 standard frameworks to ensure transparency of the  
16 value generated by the greenhouse gas and carbon  
17 reduction practices;

18 (iii) establish minimum criteria for a  
19 contractual definition of fair market value to be  
20 used by credit aggregators seeking to acquire  
21 credits from on-farm credit generators and ensure  
22 the value of credits reflects the improving and  
23 evolving practices to improve on-farm greenhouse  
24 gas and carbon reductions and is equitable to  
25 credit generators and buyers in accordance with  
26 the risk and level of effort assumed by each

1 party; and

2 (iv) meet at least twice a year to evaluate  
3 and propose recommendations of best practices and  
4 standards for approval of the Director of  
5 Agriculture.

6 (c) Rules developed by the Board shall ensure that:

7 (1) credits shall be based on annual submissions  
8 reported in accordance with methods approved by the  
9 Director of Agriculture;

10 (2) on-farm credit generators will receive one credit  
11 for every metric ton of greenhouse gas emission reduction  
12 or removal;

13 (3) credits will be awarded to or owned by the on-farm  
14 credit generator that submitted a compliant report of  
15 on-farm practices for the prior 12-month period;

16 (4) credit holders will have full property rights to  
17 hold, sell, or assign credits without restriction;

18 (5) credits accumulated by regulated fuel producers  
19 will be accepted by the Board for the purpose of  
20 demonstrating compliance with the clean transportation  
21 standard;

22 (6) third-party credit aggregators may purchase  
23 on-farm credits from one or more on-farm credit  
24 generators, as long as purchasing agreements do not  
25 violate minimum requirements for ensuring fair market  
26 value as established by the Director of Agriculture after

1 consultation with the Committee;

2 (7) entities may purchase or otherwise acquire credits  
3 from on-farm credit generators for the purpose of  
4 demonstrating compliance with regulatory or voluntary  
5 standards other than the clean transportation standard,  
6 such as the voluntarily established corporate greenhouse  
7 gas reduction targets; and

8 (8) upon request, the Board will provide certification  
9 confirmation that on-farm practices were generated and  
10 documented according to the practices recommended by the  
11 Committee and approved by the Director of Agriculture.

12 (d) All advance credits must represent actual reductions  
13 of greenhouse gas emissions against the clean transportation  
14 standard. Vehicles must be registered in the State to be  
15 eligible to earn advance credits.

16 On-farm credit generators shall be subject to an annual  
17 registration fee of \$50.

18 (e) Imports that have a high risk of deforestation and  
19 other environmental concerns, such as, but not limited to,  
20 palm oil, are prohibited.

21 Section 25. Credit market; verification and data privacy;  
22 compliance and penalties.

23 (a) The clean transportation standard adopted by the Board  
24 shall take the form of a credit marketplace with the following  
25 structure. The marketplace shall consist of a system of

1 credits and deficits monitored by the Agency. The Agency shall  
2 compile a list of fuel pathways that providers may use to  
3 generate credits. Providers seeking to be credit generators  
4 must register with the Agency and attest to the transportation  
5 fuels they provide in the State in order to qualify to generate  
6 credits. Each deficit generator must register and comply with  
7 the clean transportation standard. Fuels that are registered  
8 must have a dedicated, verifiable fuel pathway with a carbon  
9 intensity score measurable by software described in Section 30  
10 and assigned a unique identifier by the Agency. Providers  
11 exceeding the required reduction of life cycle carbon  
12 intensity under the clean transportation standard shall  
13 receive credits from the Agency upon verification described in  
14 subsection (c) at the end of a recurring reporting period as  
15 determined by the Agency. Fuel providers that are deficit  
16 generators during a year shall eliminate the deficit by either  
17 providing transportation fuels whose carbon intensity is below  
18 the level of that year's annual clean transportation standard  
19 or by purchasing credits to offset the deficit. The system of  
20 credits created under this subsection shall provide credits  
21 based on a life cycle emissions performance-based approach  
22 that is technology neutral, feedstock neutral, and has the  
23 purpose of achieving transportation fuel decarbonization.

24 (b) In compiling the list of fuel pathways authorized in  
25 subsection (a) the Agency must create an initial pathway list  
26 and identify procedures for modifying existing pathways or

1 adding new pathways providers may use to generate credits. All  
2 listed pathways must have a carbon intensity calculated in  
3 accordance with Section 30.

4 (1) The Agency must, as part of its initial rules,  
5 provide a list of pathways that providers may use to  
6 generate credits. The list must include pathways that have  
7 a carbon intensity calculated in accordance with Section  
8 30 and are already approved for use in comparable and  
9 technology-neutral clean fuel programs established by any  
10 other jurisdiction in North America.

11 (2) Any provider may request approval of a  
12 modification to an existing pathway or approval of a new  
13 pathway. Such requests must be accompanied by  
14 documentation identified by the Agency as appropriate to  
15 review such requests, including third-party validation of  
16 the submitted materials and carbon intensity calculations.  
17 The Agency shall have 60 days to review and respond to any  
18 pathway requests submitted in compliance with all  
19 documentation requirements. The Agency may request  
20 additional documentation as appropriate for any new  
21 pathway approval requests by providing a written  
22 explanation of any documentation deficiencies to the  
23 provider. A request for additional documentation shall  
24 pause the 60 days to review the pathway request until the  
25 provider submits the requested documentation. Upon  
26 submittal of the requested documentation by the provider,

1 the Agency must review and respond to the request within  
2 the days remaining from the 60 days to review at the time  
3 the request for additional documentation was made by the  
4 Agency. The Agency shall approve a pathway request in  
5 compliance with all documentation requirements set forth  
6 by this Section. In the absence of a decision by the Agency  
7 within the 60-day deadline, the request shall be deemed  
8 approved. If the Agency denies a pathway request, it must  
9 provide a written explanation of the reasons for the  
10 denial to the provider.

11 (c) The Agency must, in collaboration with the Department  
12 of Agriculture and the Department of Transportation, establish  
13 acceptable methods to verify compliance with the clean  
14 transportation standard as required under this Act. Upon  
15 registering, credit generators, deficit generators, or on-farm  
16 credit generators must agree to provide data related to the  
17 registered fuel pathway used to generate credits or deficits  
18 with the Agency as required to administer the clean  
19 transportation standard. Upon registering, credit generators,  
20 deficit generators, or on-farm credit generators must agree to  
21 be subject to periodic audits as determined by the Agency. The  
22 Agency is authorized to contract with third-party verifiers to  
23 accomplish this requirement.

24 All information gathered by or provided to the Agency or  
25 contractors of the Agency, either by credit generators,  
26 deficit generators or on-farm credit generators, agents of

1 credit generators, deficit generators, or on-farm credit  
2 generators used in a registered fuel pathway, through either  
3 voluntary disclosure or audit, must not be shared by the  
4 Agency with any party except in relation to the limited and  
5 fully disclosed administration of the clean transportation  
6 standard absent written consent by credit generators, deficit  
7 generators, or on-farm credit generators and the entity from  
8 which the data was gathered. This data must not be used for any  
9 purpose outside of the administration and enforcement of the  
10 clean transportation standard except by written consent from  
11 the original data holder. Information provided under this  
12 subsection shall be exempt under paragraph (b) of subsection  
13 (1) of Section 7 of the Freedom of Information Act. Ownership  
14 of all data shared or collected by the Agency for the  
15 administration and enforcement of the clean transportation  
16 standard is retained with the entity from which the data  
17 originates. Data protected under this subsection does not  
18 include a credit generator's, deficit generator's, or on-farm  
19 credit generator's credit or deficit balance, which may be  
20 publicly disclosed by the Agency.

21 (d) Deficit generators who fail to offset their deficits  
22 at the conclusion of any compliance period administered by the  
23 Agency shall be subject to a civil penalty established by the  
24 Agency subject to the following limitations:

25 (1) the value of the penalty shall correspond to the  
26 amount of deficits attributed to a given deficit generator

1 at the time the transaction has completed; and

2 (2) for every one deficit the deficit generator fails  
3 to offset, the penalty for failure to offset that deficit  
4 shall not exceed 10 times the value of the credit needed to  
5 offset the deficit.

6 (e) Credit generators, deficit generators, or on-farm  
7 credit generators that submit false information in support of  
8 an application to register for the clean transportation  
9 standard, share false information during an audit or in  
10 support of an attestation, or otherwise share false or  
11 inaccurate information to the Agency or a contractor working  
12 under the direction of the Agency shall be subject to  
13 penalties to be determined by the Agency by rule. Penalties  
14 under this subsection may include monetary penalties,  
15 forfeiture of credits, and reversals of prohibited  
16 transactions. The Agency may waive penalties under this  
17 subsection. In determining whether penalties should be applied  
18 and, if a penalty is to be applied, the amount of penalties to  
19 be levied for violations under this subsection, the Agency  
20 shall consider:

21 (1) evidence of willfulness by the credit generator,  
22 deficit generator, or on-farm credit generator to submit  
23 false information;

24 (2) the scope of the false information;

25 (3) evidence of past submissions of false information;

26 and

1           (4) efforts undertaken by the credit generator,  
2           deficit generator, or on-farm credit generator to remedy  
3           the false submission.

4           If the violator under this subsection is a credit  
5           generator, following 3 violations, the Agency may remove the  
6           violating credit generator from the clean transportation  
7           standard.

8           (f) The penalties provided for in this Section may be  
9           recovered in a civil action brought in the name of the People  
10          of the State of Illinois by the State's Attorney of the county  
11          in which the violation occurred or by the Attorney General.  
12          Any penalties collected under this Section in an action in  
13          which the Attorney General has prevailed shall be used to  
14          offset registration fees in support of the administration of  
15          the clean transportation standard. Any amount of penalties  
16          collected in addition to the amount needed to administer the  
17          clean transportation standard shall be deposited into the  
18          Environmental Protection Trust Fund, to be used in accordance  
19          with the provisions of the Environmental Protection Trust Fund  
20          Act.

21          (g) The Attorney General or the State's Attorney of a  
22          county in which a violation occurs may institute a civil  
23          action for an injunction, prohibitory or mandatory, to  
24          restrain violations of this Act or to require such actions as  
25          may be necessary to address violations of this Act.

26          (h) The penalties and injunctions provided in this Act are

1 in addition to any penalties, injunctions, or other relief  
2 provided under any other law. Nothing in this Act bars an  
3 action by the State for any other penalty, injunction, or  
4 other relief provided by any other law.

5 (i) A regulated entity may participate in the credit  
6 clearance market described in subsection (6) of Section 20 if  
7 the deficit generator has a deficit at the end of the  
8 compliance period.

9 (1) If a regulated entity has a deficit at the end of  
10 compliance period, the regulated entity shall notify the  
11 Agency that it will achieve compliance with the clean  
12 transportation standard during the compliance period by  
13 either:

14 (A) participating in a credit clearance market; or

15 (B) carrying forward a deficit of 10% or less than  
16 their annual deficit generation.

17 (2) For the purposes of administering a credit  
18 clearance market required by this Section, the Agency  
19 shall:

20 (A) allow any regulated entity that holds excess  
21 credits at the end of the compliance period to  
22 voluntarily participate in the credit clearance market  
23 as a seller by pledging a specified number of credits  
24 for sale in the credit clearance market;

25 (B) require each regulated entity participating in  
26 the credit clearance market as purchaser of credits

1 to:

2 (i) have retired all credits in the regulated  
3 entity's possession prior to participating in the  
4 credit clearance market; and

5 (ii) purchase the specified number of the  
6 total pledged credits that the Agency has  
7 determined are that regulated entity's pro rata  
8 share of the pledged credits; and

9 (C) require all credit sellers to:

10 (i) agree to sell pledged credits at a price  
11 no higher than the credit price described in  
12 Section 20;

13 (ii) accept all offers to purchase pledged  
14 credits at the maximum price for credits; and

15 (iii) agree to withhold any pledged credits  
16 from sale in any transaction outside of the credit  
17 clearance market until the end of the credit  
18 clearance market, or if no credit clearance market  
19 is held in a given year, then until the date on  
20 which the Agency announces it will not be held.

21 (3) A regulated entity that has a net deficit balance  
22 after the close of a credit clearance market:

23 (A) must carry over the remaining deficits into  
24 the next compliance period; and

25 (B) may not be subject to interest greater than  
26 5%, penalties, or assertions of noncompliance that

1           accrue based on the carryover of deficits under this  
2           subsection.

3           (4) If an individual regulated entity under paragraph  
4           (1) participated as a credit purchaser in 2 consecutive  
5           credit clearance markets and continues to have a net  
6           deficit balance after the close of the second consecutive  
7           credit clearance market, the Agency shall complete, no  
8           later than 2 months after the close of the second credit  
9           clearance market, an analysis of the root cause of an  
10          inability of the regulated entity to retire the remaining  
11          deficits. The Agency may recommend and implement any  
12          remedy that the Agency determines is necessary to address  
13          the root cause identified in the analysis, including, but  
14          not limited to, issuing a deferral.

15          (5) If credits sold in a credit clearance market are  
16          subsequently invalidated as a result of fraud or any other  
17          form of noncompliance on the part of the credit generator,  
18          the Agency may not pursue civil penalties against, or  
19          require credit replacement by, the regulated entity that  
20          purchased the credits unless the regulated entity was a  
21          party to the fraud or other form of noncompliance.

22          (6) The Agency may not disclose the deficit balances  
23          or pro rata share purchase requirements of a regulated  
24          entity that participates in the credit clearance market.

25          Section 30. Life cycle carbon intensity calculations;

1 software. The life cycle carbon intensity calculation  
2 conducted by the Agency under paragraph (2) of Section 20 and  
3 subsection (b) of Section 25 shall use the Argonne National  
4 Laboratory's GREET model and shall include all stages of fuel  
5 and feedstock production and distribution, from feedstock  
6 generation or extraction through the distribution, delivery,  
7 and use of the finished fuel by the ultimate consumer. The  
8 Agency shall use the most recent model available. Carbon  
9 intensity values calculated for clean fuel pathways under  
10 construction or in operation using the current version of the  
11 GREET model shall be allowed if the GREET model is revised  
12 during the compliance year. In calculating the life cycle  
13 carbon intensity, the mass values for all greenhouse gases  
14 that are not carbon dioxide must be adjusted to account for  
15 each of their relative global warming potentials. This  
16 adjustment shall be performed using the global warming  
17 potential deemed most accurate by the Agency for each  
18 greenhouse gas for the period during which reductions in  
19 greenhouse gas emissions are to be attained under the clean  
20 transportation standard. When measuring the carbon intensity  
21 of clean fuels, the Agency shall use the GREET model's  
22 Feedstock Carbon Intensity Calculator for the purposes of  
23 accounting for variations in farming practices across  
24 different fuel pathways.

25 Section 35. Residential electric vehicle charging credits.

1 In implementing this Act, the Agency and the Board shall  
2 establish a system for the generation and reinvestment of  
3 credits for electricity used for residential electric vehicle  
4 charging as follows:

5 (1) The following entities shall be eligible to  
6 generate residential electric vehicle charging credits,  
7 with the specific allocation of credit-generation rights  
8 to be determined by the Agency through a rulemaking  
9 process:

10 (A) Electric utilities.

11 (B) Electric vehicle charging service providers.

12 (C) Original equipment manufacturers of electric  
13 vehicles or electric vehicle charging equipment.

14 (2) To generate credits under this Section, an entity  
15 must demonstrate the quantity of electricity dispensed for  
16 residential vehicle charging using data from networked  
17 charging stations, vehicle telematics, estimation  
18 methodologies for unmetered electric vehicle charging, or  
19 other methods approved by the Agency.

20 (3) The Agency and the Board shall establish rules  
21 directing any entity that generates and monetizes credits  
22 for residential electric vehicle charging under paragraph  
23 (1) to invest 100% of the net credit revenue as follows:

24 (A) 67% of revenues shall be contributed to the  
25 State and deposited into the account funding the  
26 Electric Vehicle Rebate Program as established in

1 Title 35 of the Illinois Administrative Code, Part  
2 275.

3 (B) 33% of revenues shall be allocated to projects  
4 and goals determined by the Agency and Board, in  
5 consultation with relevant stakeholders, including,  
6 but not limited to credit generators, affected  
7 communities, and environmental justice advocacy  
8 organizations, that address specific transportation  
9 electrification needs in disadvantaged communities.  
10 The Agency, Board, and relevant stakeholders shall  
11 consider requiring investments in public or  
12 multifamily residential charging infrastructure,  
13 rebates for the purchase of residential electric  
14 vehicle chargers by income-qualified individuals,  
15 community-based electric vehicle carsharing  
16 initiatives, and grid upgrades necessary to support  
17 transportation electrification in these areas.

18 Section 40. Exemptions. The following fuels are exempt  
19 from the clean transportation standard established in Section  
20 15:

- 21 (1) aviation fuels;
- 22 (2) transportation fuel used in locomotives;
- 23 (3) transportation fuel used in ocean-going vessels;
- 24 (4) fuel used in military tactical vehicles and  
25 tactical support equipment owned by the United States

1 Department of Defense or the United States military  
2 services; and

3 (5) fuel used primarily in off-road applications, such  
4 as mining and agriculture.

5 However, providers of these fuels, if deemed to be clean  
6 fuels, shall be eligible under the rules adopted pursuant to  
7 this Act to receive credits on an opt-in basis that may be  
8 applied to future obligations or sold to deficit generators.

9 Section 45. Agency reporting obligation. Within 12 months  
10 after the implementation period for the clean transportation  
11 standard and every 2 years thereafter, the Agency shall submit  
12 a report to the General Assembly detailing the implementation  
13 of the clean transportation standard, the reductions in  
14 greenhouse gas emissions that have been achieved through the  
15 clean transportation standard, and targets for future  
16 reductions in greenhouse gas emissions. These reports shall  
17 include feedback solicited from stakeholders under paragraph  
18 (8) of subsection (a) of Section 20.

19 Section 50. Fuel supply forecasting. In consultation with  
20 the Department of Transportation and the Department of  
21 Agriculture, the Agency must develop a periodic fuel supply  
22 forecast to project the availability of fuels to the State  
23 necessary for compliance with the clean transportation  
24 standard requirements. The fuel supply forecast for each

1 upcoming compliance period must include, but is not limited  
2 to, the following:

3 (1) an estimate of the potential volumes of gasoline,  
4 gasoline substitutes, and gasoline alternatives, and  
5 diesel, diesel substitutes, and diesel alternatives  
6 available to the State. In developing this estimate, the  
7 Agency must consider, but is not limited to, considering:

8 (A) the existing and future vehicle fleet in this  
9 State; and

10 (B) any constraints that might be preventing  
11 access to available and cost-effective clean fuels by  
12 the State, such as geographic and logistical factors,  
13 and alleviating factors to the constraints;

14 (2) an estimate of the total banked credits and  
15 carried over deficits held by deficit generators, credit  
16 generators, on-farm credit generators, and credit  
17 aggregators at the beginning of the compliance period, and  
18 an estimate of the total credits attributable to fuels  
19 described in paragraph (1);

20 (3) an estimate of the number of credits needed to  
21 meet the applicable clean transportation standard  
22 requirements during the forecasted compliance period; and

23 (4) a comparison in the estimates of paragraphs (1)  
24 and (2) with the estimate in paragraph (3), for the  
25 purpose of indicating the availability of fuels and banked  
26 credits needed for compliance with the requirements of

1           this chapter.

2           The Agency may appoint a forecast review team of relevant  
3 experts to participate in the fuel supply forecast or  
4 examination of data required by this Section. The Agency must  
5 finalize a fuel supply forecast for an upcoming compliance  
6 period by no later than 90 days prior to the start of the  
7 compliance period.

8           Section 55. Forecast deferral.

9           (a) No later than 30 calendar days before the commencement  
10 of a compliance period, the Agency shall issue an order  
11 declaring a forecast deferral if the fuel supply forecast  
12 under Section 50 projects that the amount of credits that will  
13 be available during the forecast compliance period will be  
14 less than 100% of the credits projected to be necessary for  
15 regulated parties to comply with the scheduled applicable  
16 clean transportation standard adopted by the Agency for the  
17 forecast compliance period.

18           (b) An order declaring a forecast deferral under this  
19 Section must set forth:

20                 (1) the duration of the forecast deferral;

21                 (2) the types of fuel to which the forecast deferral  
22 applies; and

23                 (3) which of the following methods the Agency has  
24 selected for deferring compliance with the scheduled  
25 applicable clean transportation standard during the

1 forecast deferral:

2 (A) temporarily adjusting the scheduled applicable  
3 clean transportation standard to a standard identified  
4 in the order that better reflects the forecast  
5 availability of credits during the forecast compliance  
6 period and requiring deficit generators to comply with  
7 the temporary standard;

8 (B) requiring deficit generators to comply only  
9 with the clean transportation standard applicable  
10 during the compliance period prior to the forecast  
11 compliance period; or

12 (C) suspending deficit accrual for part or all of  
13 the forecast deferral period.

14 (c) In implementing a forecast deferral, the Agency may  
15 take an action for deferring compliance with the clean  
16 transportation standard other than, or in addition to,  
17 selecting a method under paragraph (3) of subsection (b) only  
18 if the Agency determines that none of the methods under  
19 paragraph (3) of subsection (b) will provide a sufficient  
20 mechanism for containing the costs of compliance with the  
21 clean transportation standard during the forecast deferral.

22 (d) If the Agency makes the determination specified in  
23 subsection (c), the Agency shall:

24 (1) include in the order declaring a forecast deferral  
25 the determination and the action to be taken; and

26 (2) provide written notification and justification of

1 the determination and the action to:

2 (A) the Governor;

3 (B) the President of the Senate;

4 (C) the Speaker of the House of Representatives;

5 (D) the Minority Leader of the Senate; and

6 (E) the Minority Leader of the House of  
7 Representatives.

8 (e) The duration of a forecast deferral may not be less  
9 than one calendar quarter or longer than one compliance  
10 period. Only the Agency may terminate, by order, a forecast  
11 deferral before the expiration date of the forecast deferral.  
12 Termination of a forecast deferral is effective on the first  
13 day of the next calendar quarter after the date that the order  
14 declaring the termination is adopted.

15 Section 60. Emergency deferral. The Agency shall adopt  
16 procedures for the issuance of an emergency deferral,  
17 including, but not limited to:

18 (A) the conditions necessary to trigger an emergency  
19 deferral, such as an energy shortage emergency as declared  
20 by the Governor pursuant to Section 7 of the Illinois  
21 Emergency Management Agency Act or a shortage of clean  
22 fuels needed for regulated entities to comply with the  
23 clean transportation standard; and

24 (B) the criteria to be included in an emergency  
25 deferral, including the types of fuel to which the

1 emergency deferral applies, the duration of the emergency  
2 deferral, and effected changes to that compliance schedule  
3 of the covered fuels.

4 Section 65. Conflicts with other State programs. Nothing  
5 in this Act precludes the Agency or Board from adopting or  
6 maintaining other programs as permitted or required by  
7 existing or future legislation to reduce greenhouse gas  
8 emissions from the transportation sector.

9 Section 97. Severability. The provisions of this Act are  
10 severable under Section 1.31 of the Statute on Statutes.

11 Section 99. Effective date. This Act takes effect January  
12 1, 2027."