**Section 4.4540 Gas Mileage, Flex-Fuel, Biodiesel and Hybrid Requirements**

Sections 25-75 and 45-40 of the Illinois Procurement Code impose requirements applicable to the purchase and, in some situations, the lease of passenger vehicles. These requirements are:

a) Section 25-75 (Flex Fuel, Hybrid or Biodiesel)

1) Gasoline Power. All gasoline powered automobiles and light trucks purchased with State funds must be flexible fuel or fuel efficient hybrid vehicles. Station wagons, SUVs and crossovers, vans (including mini-vans), four-wheel drive (including AWD) vehicles, emergency vehicles, and police and fire vehicles are not exempt.

A) Flexible fuel vehicles are automobiles or light trucks that operate on either gasoline or E-85 (85% ethanol, 15% gasoline) fuel.

B) Fuel efficient hybrid vehicles are automobiles or light trucks that use a gasoline or diesel engine and an electric motor to power and gain a minimum of 20% increase in combined USEPA city/highway fuel economy over an equivalent or most-similar conventionally-powered model.

2) Diesel Power. All diesel powered automobiles and light trucks purchased with State funds shall be certified by the manufacturer to run on 5% biodiesel (B5) fuel. Station wagons (including SUVs and crossovers), vans (including mini-vans), four-wheel drive (including AWD) vehicles, emergency vehicles, and police and fire vehicles are not exempt.

3) "State funds" means, for the purpose of this Section, any funds appropriated by the General Assembly. If State funds are used in whole or in part to purchase these vehicles, this Section applies.

b) Section 45-40 (Mileage)

1) Any new passenger automobiles, whether purchased or leased, must meet minimum fuel mileage standards. This does not apply to station wagons, SUVs and crossovers, vans (including mini-vans), four-wheel drive (including AWD) vehicles, emergency vehicles, and police and fire vehicles.

2) This fuel mileage requirement applies regardless of the source of funds used to purchase or lease the vehicle.

c) Coordination of Sections 25-75 and 45-40. When procuring a vehicle, a university shall make reasonable attempts to identify one that meets the requirements of both subsections (a) and (b). If no vehicle meets both of these requirements, the university shall purchase a vehicle or vehicles that satisfy the requirements of subsection (b); otherwise, the university may request a waiver as outlined in subsection (d).

d) Waiver. If a vehicle that meets the need of the institution cannot meet either or both requirements of subsections (a) and/or (b), then the institution may request a waiver of the appropriate requirement. The CPO-HE may require use of a uniform form or format for requesting the waiver. Vehicles requested under a waiver should come as close to satisfying the waived requirement as practical.

e) Beginning January 1, 2016, 15% of all passenger vehicles purchased with State funds shall be vehicles fueled by electricity, electricity and gasohol (hybrids or plug-in hybrids), compressed natural gas, liquid petroleum gas, or liquid natural gas, including dedicated or non-dedicated fuel type vehicles. For purposes of this Section, "State funds" means any funds appropriated by the General Assembly. If State funds are used in whole or in part to purchase these vehicles, this Section applies.

f) *In awarding contracts requiring the procurement of vehicles, preference may be given to an otherwise qualified bidder or offeror who will fulfill the contract through the use of vehicles powered by ethanol produced from Illinois corn or biodiesel fuels produced from Illinois soybeans.* [30 ILCS 500/45-60]

(Source: Amended at 43 Ill. Reg. 1781, effective February 15, 2019)