

ENROLLED HOUSE
BILL NO. 1886

By: Tyler, Henshaw and
Satterfield of the House

and

Long (Ed), Shurden and
Muegge of the Senate

An Act relating to alternative fuels; amending 68 O.S. 1991, Section 2357.22, as last amended by Section 25 of Enrolled House Bill No. 2299 of the 2nd Session of the 44th Oklahoma Legislature, which relates to credits for investments in qualified clean-burning motor vehicle fuel property; extending date for certain tax credit; amending 74 O.S. 1991, Sections 130.2, as amended by Section 1, Chapter 224, O.S.L. 1993, 130.3, 130.12, 130.13, as amended by Section 4, Chapter 224, O.S.L. 1993, 130.14, 130.15, 130.16, as amended by Section 5, Chapter 224, O.S.L. 1993, 130.17, as amended by Section 6, Chapter 224, O.S.L. 1993, 130.18, 130.19 and 130.20 (74 O.S. Supp. 1993, Sections 130.2, 130.13, 130.16 and 130.17), which relate to the Oklahoma Alternative Fuels Conversion Act and the Alternative Fuels Technician Certification Act; providing definitions; updating statutory reference; requiring use of alternative fuel by certain vehicles under certain circumstances; requiring certain compressed natural gas conversion kits to meet certain exhaust emission standards and providing exemptions; modifying legislative intent; modifying and adding definitions; modifying Committee of Alternative Fuels Technician Examiners; updating reference; providing for uniform and practical examinations for alternative fuels equipment and compression technicians; modifying qualification and certification for an alternative fuels equipment technician and an alternative fuels compression technician; providing for certification of certain companies; providing certain exception to alternative fuels compression technician training programs; modifying nontransferability of certain certificates; adding and modifying certain fees; modifying authority to adopt certain rules; modifying authority of certain board regarding certain technicians; prohibiting persons from performing certain work after certain date under certain circumstances; amending 47 O.S. 1991, Section 854, as last amended by Section 10, Chapter 224, O.S.L. 1993, 855, as amended by Section 11, Chapter 224, O.S.L. 1993, 856 and 859 (47 O.S. Supp. 1993, Sections 854 and 855), which relate to motor vehicle inspections; requiring annual inspection of certain vehicles by certain official inspection station; requiring issuance of special certificate of inspection; providing for

issuance of special compressed natural gas inspection station permit; requiring certain inspection station to check certain items; providing for the promulgation of certain rules by the Commissioner of Public Safety; prohibiting display of certain permit under certain circumstances; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 68 O.S. 1991, Section 2357.22, as last amended by Section 25 of Enrolled House Bill No. 2299 of the 2nd Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 2357.22 A. There shall be allowed a one-time credit against the income tax imposed by Section 2355 of this title for investments in qualified clean-burning motor vehicle fuel property placed in service after December 31, 1990.

B. As used in this section, "qualified clean-burning motor vehicle fuel property" means:

1. Equipment installed to modify a motor vehicle which is propelled by gasoline or diesel fuel so that the vehicle may be propelled by methanol, "M-85" which is a mixture of methanol and gasoline containing at least eighty-five percent (85%) methanol, compressed natural gas, liquefied natural gas or liquefied petroleum gas or a combination of at least fifty percent (50%) natural gas;

2. A motor vehicle originally equipped to be propelled only by compressed natural gas, liquefied natural gas or liquefied petroleum gas, or to be propelled only by methanol or "M-85" but only to the extent of the portion of the basis of such motor vehicle which is attributable to the storage of such fuel, the delivery to the engine of such motor vehicle of such fuel, and the exhaust of gases from combustion of such fuel; or

3. Property which is directly related to the delivery of methanol, "M-85", compressed natural gas, liquefied natural gas or liquefied petroleum gas into the fuel tank of a motor vehicle propelled by such fuel including compression equipment and storage tanks for such fuel at the point where such fuel is so delivered but only if such property is not used to deliver such fuel into any other type of storage tank or receptacle and such fuel is not used for any purpose other than to propel a motor vehicle. However, property which is directly related to the delivery of methanol or "M-85" into the fuel tank of a motor vehicle propelled by such fuel as provided in this paragraph shall be used solely for the purpose of delivering methanol or "M-85" and no other purpose in order to claim the tax credit pursuant to this section. If the property is used for any other purpose than the delivery of methanol or "M-85", the tax credit shall immediately be refunded to the Oklahoma Tax Commission. The Oklahoma Corporation Commission shall inspect the property to determine whether the property is being used for the delivery of methanol or "M-85".

C. The credit provided for in subsection A of this section shall be fifty percent (50%) of the cost of the qualified clean-burning motor vehicle fuel property, except that for qualified clean-burning motor vehicle fuel property placed in service on or after January 1, ~~1995~~ 1997, the credit provided for in subsection A

of this section shall be twenty percent (20%) of the cost of the qualified clean-burning motor vehicle fuel property.

D. In cases where no credit has been claimed pursuant to subsection C of this section and in which a motor vehicle is purchased by a taxpayer with qualified clean-burning motor vehicle fuel property installed by the manufacturer of such motor vehicle and the taxpayer is unable or elects not to determine the exact basis which is attributable to such property, the taxpayer may claim a credit in an amount not exceeding the lesser of ten percent (10%) of the cost of the motor vehicle or One Thousand Five Hundred Dollars (\$1,500.00).

E. If the tax credit allowed pursuant to subsection A of this section exceeds the amount of income taxes due or if there are no state income taxes due on the income of the taxpayer, the amount of the credit not used as an offset against the income taxes of a taxable year may be carried forward as a credit against subsequent income tax liability for a period not to exceed three (3) years.

F. A husband and wife who file separate returns for a taxable year in which they could have filed a joint return may each claim only one-half (1/2) of the tax credit that would have been allowed for a joint return.

SECTION 2. AMENDATORY 74 O.S. 1991, Section 130.2, as amended by Section 1, Chapter 224, O.S.L. 1993 (74 O.S. Supp. 1993, Section 130.2), is amended to read as follows:

Section 130.2 As used in the Oklahoma Alternative Fuels Conversion Act:

1. "Alternative fuels" means fuels which result in comparably lower emissions of oxides of nitrogen, volatile organic compounds, carbon monoxide, or particulates or any combination thereof and includes compressed natural gas, liquefied petroleum gas, liquefied natural gas, ethanol, methanol, "M-85" which is a mixture of methanol and gasoline containing at least eighty-five percent (85%) methanol, and electricity;

2. "CNG" means compressed natural gas;

3. "CNG conversion kit" means the equipment installed to modify a motor vehicle which is propelled by gasoline or diesel fuel so that the vehicle may be propelled by compressed natural gas;

4. "Diesel fuel" means diesel engine fuel, and all other liquids suitable for the generation of power for the propulsion of motor vehicles except gasoline;

~~3.~~ 5. "Fill station" means the property which is directly related to the delivery of compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol, or "M-85" which is a mixture of methanol and gasoline containing at least eighty-five percent (85%) methanol into the fuel tank of a motor vehicle propelled by such fuel including the compression equipment and storage vessels for such fuel at the point where such fuel is delivered;

~~4.~~ 6. "Gallon" means the quantity of fluid or liquid at a temperature of sixty (60) degrees Fahrenheit necessary to completely fill a United States standard gallon liquid measure;

~~5.~~ 7. "Gasoline" means the same as motor fuel and means every liquid petroleum product, or any combination thereof, other than solvents as herein defined, having an A.P.I. gravity of forty-six (46) degrees or above at a temperature of sixty (60) degrees Fahrenheit and at atmospheric pressure, and includes drip, casinghead or natural gasoline. The term gasoline also includes any liquid of less than forty-six (46) degrees A.P.I. gravity at a temperature of sixty (60) degrees Fahrenheit compounded, blended, manufactured or otherwise produced by mixing or blending gasoline or solvents with any blending materials, as hereinafter defined, when

the blended product can be used for generating power in internal combustion engines, regardless of how such liquid is made, compounded, manufactured or recovered and regardless of the name by which such liquid may be known or sold;

~~6.~~ 8. "Government vehicle" means all motor vehicles, including, but not limited to, transit vehicles operated by any entity pursuant to Section 4031 et seq. of Title 69 of the Oklahoma Statutes or designated as public transit by the Oklahoma Department of Transportation, buses, trucks, law enforcement vehicles and emergency vehicles, owned and operated by the State of Oklahoma, any public trust authority, county, municipality, town or city within this state;

~~7.~~ 9. "Sale" means sales, barters, exchanges, and every other manner, method, and form of transferring the ownership of personal property from one person to another, and also includes the use or consumption in this state in the first instance of gasoline received from without the state or of any other gasoline upon which the surcharge has not been paid;

~~8.~~ 10. "School vehicle" means all buses and multi-passenger motor vehicles owned and approved to operate by the State Department of Education or any school district within this state; and

~~9.~~ 11. "Solvents" means especially prepared commercial and industrial solvents, cleaners' and painters' naphthas, and raw petroleum materials or petrochemical intermediates when used as or sold for use in production or manufacture of plastics, detergents, synthetic rubber, herbicides, insecticides and other chemicals or products which are not prepared, advertised, offered for sale, or sold for use or suitable for use as fuel for generating power in internal combustion engines.

SECTION 3. AMENDATORY 74 O.S. 1991, Section 130.3, is amended to read as follows:

Section 130.3 A. All school vehicles and all government vehicles may be converted to operate on an alternative fuel. The state, any county or municipal government and any school district within the state may have access to the Oklahoma Alternative Fuels Conversion Fund and the reasonable expenses of the conversions and/or the installation of a fill station may be reimbursed in the manner pursuant to Section ~~604~~ 130.4 of this title if the state, county, municipality or school district can pay back such conversion and/or fill station installation costs within seven (7) years of the date of conversion and/or fill station installation. Beginning July 1, 1995, all school districts within this state should consider only purchasing school vehicles which have the capability to operate on an alternative fuel.

B. The reasonable expenses of the conversion of the school vehicle fleets and the government vehicle fleets that are converted pursuant to subsection A of this section shall be reimbursed in the manner pursuant to Section ~~604~~ 130.4 of this title.

C. The reasonable expenses of the installation of a fill station that is installed pursuant to subsection A of this section shall be reimbursed in the manner pursuant to Section ~~604~~ 130.4 of this title.

D. Any vehicle converted to have the capability of being fueled by alternative fuels pursuant to the provisions of the Oklahoma Alternative Fuels Conversion Act shall not be sold or otherwise transferred to another person or entity before the total reimbursement of the cost of such conversion pursuant to the provisions of the Oklahoma Alternative Fuels Conversion Act unless such conversion equipment is removed and installed on another government vehicle or school vehicle owned by such public entity.

E. Any fill station installed pursuant to the provisions of the Oklahoma Alternative Fuels Conversion Act shall not be sold or otherwise transferred to another person or entity before the total reimbursement of the cost of such fill station pursuant to the provisions of the Oklahoma Alternative Fuels Conversion Act.

F. All school vehicles and all government vehicles which are converted to operate on alternative fuel shall be required to use such alternative fuel whenever the price of the alternative fuel used by such vehicle is equal to or less than the price of the original fuel displaced by the alternative fuel on a per gallon equivalent basis and whenever the alternative fuel is reasonably available for use.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 130.8A of Title 74, unless there is created a duplication in numbering, reads as follows:

Beginning January 1, 1996, each CNG conversion kit installed in this state in any motor vehicle must meet the exhaust emissions standards of the California Air Resources Board or its successor. CNG conversion kits installed before January 1, 1996, are exempt from this section.

SECTION 5. AMENDATORY 74 O.S. 1991, Section 130.12, is amended to read as follows:

Section 130.12 It is the intent of the Oklahoma Legislature that the State Board of Vocational and Technical Education develop curriculum for the training of technicians for the installation and conversion of engines to be fueled by alternative fuels as the technologies are developed. It is further the intent of the Oklahoma Legislature that Oklahoma State University/Okmulgee develop curriculum for the training of technicians for the installation, service, modification, repair or renovation of fill stations.

SECTION 6. AMENDATORY 74 O.S. 1991, Section 130.13, as amended by Section 4, Chapter 224, O.S.L. 1993 (74 O.S. Supp. 1993, Section 130.13), is amended to read as follows:

Section 130.13 As used in the Alternative Fuels Technician Certification Act:

1. "Alternative fuel" means fuels which result in comparably lower emissions of oxides of nitrogen, volatile organic compounds, carbon monoxide, or particulates or any combination thereof and includes compressed natural gas, liquefied petroleum gas, liquefied natural gas, methanol, "M-85" which is a mixture of methanol and gasoline containing at least eighty-five percent (85%) methanol, ethanol, reformulated gasoline and electricity;

2. "Alternative fuels equipment technician" means any person who installs, modifies, repairs or renovates equipment used in the conversion of any engines to engines fueled by alternative fuels. This includes originally equipped manufactured engines dedicated to operate on an alternative fuel;

3. "Alternative fuels compression technician" means any person who installs, services, modifies, repairs or renovates fill stations;

4. "Board" means the Alternative Fuels Technician Hearing Board; ~~and~~

~~4-~~ 5. "Committee" means the Committee of Alternative Fuels Technician Examiners; and

6. "Fill station" means the property which is directly related to the delivery of compressed natural gas or liquefied natural gas into the fuel tank of a motor vehicle propelled by such fuel including the compression equipment and storage vessels for such fuel at the point where the fuel is delivered.

SECTION 7. AMENDATORY 74 O.S. 1991, Section 130.14, is amended to read as follows:

Section 130.14 A. There is hereby established the Committee of Alternative Fuels Technician Examiners which shall consist of six (6) members. All members of the Committee shall be residents of this state.

B. Five voting members of the Committee shall be appointed by the Director of the ~~Office of Public Affairs~~ Department of Central Services as follows:

1. ~~Three~~ Beginning September 1, 1994, three members shall be alternative fuels technicians selected from a list of names submitted by the State Board of Vocational and Technical Education, with at least one member being an alternative fuels equipment technician and at least one member being an alternative fuels compression technician;

2. One member shall be a person involved in compressed natural gas technology in an oil and/or gas industry; and

3. One member shall be a person involved in liquefied petroleum gas technology in an oil and/or gas industry.

C. All members shall each have at least two (2) years of active experience in alternative fuels technology. The terms of the voting members initially appointed to the Committee shall be staggered as follows:

1. One alternative fuels technician shall be appointed for a term of two (2) years;

2. One alternative fuels technician shall be appointed for a term of three (3) years;

3. One alternative fuels technician shall be appointed for a term of four (4) years;

4. One person involved in compressed natural gas technology in an oil and/or gas industry shall be appointed for a term of three (3) years; and

5. One person involved in liquefied petroleum gas technology in an oil and/or gas industry shall be appointed for a term of four (4) years. Thereafter, each voting member of the Committee shall be appointed for a term of five (5) years, or until their successors are appointed and qualified.

The nonvoting member shall be designated by the Director of the ~~Office of Public Affairs~~ Department of Central Services to serve as Program Administrator and Recording Secretary to the Committee. It is the intent of the Legislature that the person acting as the Program Administrator and Recording Secretary to the Committee as of the effective date of this act be transferred to the ~~Office of Public Affairs~~ Department of Central Services to continue in his or her capacity.

D. Vacancies which may occur in the membership of the Committee shall be filled by appointment of the Director of the ~~Office of Public Affairs~~ Department of Central Services. Each person who has been appointed to fill a vacancy shall serve for the remainder of the term for which the member he succeeds was appointed and until his successor has been appointed and has qualified. Members of the Committee may be removed from office by the Director of the ~~Office of Public Affairs~~ Department of Central Services for cause in the manner provided by law for the removal of officers not subject to impeachment.

E. The Committee shall assist and advise the ~~Office of Public Affairs~~ Department of Central Services on all matters relating to the formulation of rules and standards in accordance with the Alternative Fuels Technician Certification Act. The Committee shall administer the examinations of applicants for certification as

alternative fuels equipment technicians and alternative fuels compression technicians provided that such examinations shall be in accordance with the provisions of the Alternative Fuels Technician Certification Act.

F. All members of the Committee shall be reimbursed for expenses incurred while in the performance of their duties in accordance with the State Travel Reimbursement Act.

G. A majority of the total membership of the Committee shall constitute a quorum for the transaction of business.

SECTION 8. AMENDATORY 74 O.S. 1991, Section 130.15, is amended to read as follows:

Section 130.15 A. Examinations for certification as alternative fuels equipment technicians shall be uniform and practical in nature for alternative fuels equipment technician certification and shall be sufficiently strict to test the qualifications and fitness of the applicants for certificates. ~~Examinations shall be in whole or in part in writing. The Committee shall conduct examinations twice a year and at such other times as it deems necessary.~~

B. Examinations for certification as alternative fuels compression technicians shall be uniform and practical in nature for alternative fuels compression technician certification and shall be sufficiently strict to test the qualifications and fitness of the applicants for certificates.

C. Examinations shall be in whole or in part in writing. The Committee shall conduct examinations twice a year and at such other times as it deems necessary. Any applicant initially failing to pass the examination shall not be permitted to take another examination for a period of thirty (30) days. Any applicant subsequently failing to pass the examination shall not be permitted to take another examination for a period of ninety (90) days.

~~C. D.~~ The ~~Office of Public Affairs~~ Department of Central Services shall enforce the provisions of this section.

SECTION 9. AMENDATORY 74 O.S. 1991, Section 130.16, as amended by Section 5, Chapter 224, O.S.L. 1993 (74 O.S. Supp. 1993, Section 130.16), is amended to read as follows:

Section 130.16 A. The Department of Central Services shall issue a certificate as an alternative fuels equipment technician to any person who:

1. Has been licensed by the Oklahoma Liquefied Petroleum Gas Board and has successfully passed the appropriate examination as provided in the Alternative Fuels Technician Certification Act; or
2. Has been certified by the Committee as either having successfully passed the appropriate examination or having a valid license or certificate issued by another governmental entity with licensing or certification requirements similar to those provided in the Alternative Fuels Technician Certification Act; ~~and~~
3. Has paid the certification fee and otherwise complied with the provisions of the Alternative Fuels Technician Certification Act; ~~and~~
4. Has provided proof of liability insurance with limits of not less than Fifty Thousand Dollars (\$50,000.00) general liability.

B. The Department of Central Services shall issue a certificate as an alternative fuels compression technician to any person who:

1. Has successfully passed the appropriate examination as provided in the Alternative Fuels Technician Certification Act or has been certified by the Committee as having a valid license or certificate issued by another governmental entity with licensing or certification requirements similar to those provided in the Alternative Fuels Technician Certification Act;

2. Has paid the certification fee and otherwise complied with the provisions of the Alternative Fuels Technician Certification Act; and

3. Has provided proof of liability insurance with limits of not less than Fifty Thousand Dollars (\$50,000.00) general liability.

C. In the case of a company, partnership or corporation engaged in the business of installing, servicing, repairing, modifying or renovating equipment used in the conversion of engines to engines fueled by alternative fuels, a separate certificate shall be issued by the Department of Central Services to that individual company, partnership or corporation. This certificate is for the express purpose of recognizing that the company, partnership or corporation is an authorized alternative fuels conversion business and employs state-certified alternative fuels equipment technicians. Any violations by a certified alternative fuels equipment technician shall be deemed a violation by the certified company, partnership or corporation employing such certified technician.

D. In the case of a company, partnership or corporation engaged in the business of installing, servicing, repairing, modifying or renovating fill stations, a separate certificate shall be issued by the Department of Central Services to that individual company, partnership or corporation. This certificate is for the express purpose of recognizing that the company, partnership or corporation is an authorized fill station installation business and employs state-certified alternative fuels compression technicians. Any violations by a certified alternative fuels compression technician shall be deemed a violation by the certified company, partnership or corporation employing such certified technician.

~~C.~~ E. In conjunction with subsection A of this section, the Department of Central Services shall issue an Alternative Fuels Equipment Installation Certification to any public entity or private company, partnership or corporation that operates commercial, private or public fleets of vehicles and employs ten (10) or more auto service technicians per location. The certification shall be based on the ability of the applicant to provide their own alternative fuels equipment technician training program which shall be certified by the Department of Central Services, Committee of Alternative Fuels Technician Examiners. This subsection shall not apply to allow certification of any alternative fuels compression technician training programs.

~~D.~~ F. All alternative fuels equipment technician certificates and alternative fuels compression technician certificates shall be nontransferable and it shall be unlawful for any person certified pursuant to the provisions of the Alternative Fuels Technician Certification Act to loan or allow the use of such certificate by any other person, except as specifically provided in the Alternative Fuels Technician Certification Act.

~~E.~~ G. The standards for the storage and handling of liquefied petroleum gases adopted by the National Fire Protection Association and published in the latest edition of its Pamphlet No. 58 and the standards for the installation of compressed natural gas vehicular fuel systems adopted by the National Fire Protection Association and published in its Pamphlet No. 52 shall be the accepted standards for this state. The Department of Central Services is authorized, and it shall be its duty to adopt and promulgate such rules or specifications relating to safety in the manufacture, assembly, sale, installation and use of vehicular alternative fuel systems. The Department of Central Services is further authorized to modify or amend such rules or specifications as it deems reasonable and necessary.

SECTION 10. AMENDATORY 74 O.S. 1991, Section 130.17, as amended by Section 6, Chapter 224, O.S.L. 1993 (74 O.S. Supp. 1993, Section 130.17), is amended to read as follows:

Section 130.17 A. All applications for examination, certification or renewal of certification shall be made in writing to the Department of Central Services on forms provided, if necessary, by the Department of Central Services. All applications shall be accompanied by the appropriate fee.

B. The following shall be the fees charged under the Alternative Fuels Technician Certification Act.

Alternative Fuels <u>Equipment</u> Technician Examination	\$50.00
<u>Alternative Fuels Compression Technician Examination</u>	<u>\$50.00</u>
Alternative Fuels <u>Equipment</u> Technician Certificate	\$50.00
<u>Alternative Fuels Compression Technician Certificate</u>	<u>\$50.00</u>
Certificate renewal, if made within thirty (30) days after expiration:	
Alternative Fuels <u>Equipment</u> Technician Certificate	\$50.00
<u>Alternative Fuels Compression Technician Certificate</u>	<u>\$50.00</u>
Penalty for Late Certification Renewal:	
Alternative Fuels <u>Equipment</u> Technician Certificate	\$10.00
<u>Alternative Fuels Compression Technician Certificate</u>	<u>\$10.00</u>
<u>Certificate fee if certified after March 1 of each year:</u>	
<u>Alternative Fuels Equipment Technician Certificate</u>	<u>\$25.00</u>
<u>Alternative Fuels Compression Technician Certificate</u>	<u>\$25.00</u>
<u>Certificate fee if certified after June 1 of each year:</u>	
<u>Alternative Fuels Equipment Technician Certificate</u>	<u>\$12.50</u>
<u>Alternative Fuels Compression Technician Certificate</u>	<u>\$12.50</u>
Company, Partnership or Corporation Certificate	\$100.00
Annual Renewal for Company, Partnership or Corporation Certificate	\$100.00
Training Program Certification (one-time fee)	\$500.00
Alternative Fuels Installation Certification Per Location	\$1,000.00
Annual Renewal of Alternative Fuels Installation Certification Per Location	\$1,000.00

SECTION 11. AMENDATORY 74 O.S. 1991, Section 130.18, is amended to read as follows:

Section 130.18 ~~The Office of Public Affairs~~ Department of Central Services shall adopt rules and guidelines for the expiration of ~~alternative fuels technician~~ for alternative fuels equipment technicians and alternative fuels compression technicians, and for determining the recertification of ~~alternative fuels equipment technicians and alternative fuels compression technicians.~~

SECTION 12. AMENDATORY 74 O.S. 1991, Section 130.19, is amended to read as follows:

Section 130.19 A. A person or persons designated by the Director of the ~~Office of Public Affairs~~ Department of Central Services and the Committee shall act as the Alternative Fuels Technician Hearing Board and shall comply with the provisions of the Administrative Procedures Act.

B. The Alternative Fuels Technician Hearing Board may, upon its own motion, and shall, upon written complaint filed by any person, investigate the business transactions of any certified alternative fuels equipment or compression technician. The Board shall suspend or revoke any certificate or registration obtained by false or fraudulent representation. The Board shall also suspend or revoke any certificate or registration for any of the following:

1. Making a material misstatement in the application for a certificate or registration, or the renewal of a certificate or registration;

2. Loaning or illegally using a certificate;

3. Demonstrating incompetence to act as an alternative fuels equipment technician or alternative fuels compression technician;

4. Violating any provisions of the Alternative Fuels Technician Certification Act, or any rule or order prescribed by the ~~Office of Public Affairs~~ Department of Central Services; or

5. Willfully failing to perform normal business obligations without justifiable cause.

Any person whose alternative fuels equipment technician certificate or alternative fuels compression technician certificate has been revoked by the Alternative Fuels Technician Hearing Board may apply for a new certificate one (1) year from the date of such revocation.

SECTION 13. AMENDATORY 74 O.S. 1991, Section 130.20, is amended to read as follows:

Section 130.20 ~~From and after~~ After September 1, 1991, it shall be unlawful for any person to perform the work or offer, by advertisement or otherwise, to perform the work of an alternative fuels equipment technician until such person has qualified and is certified as an alternative fuels equipment technician. Beginning September 1, 1995, it shall be unlawful for any person to perform work or offer, by advertisement or otherwise, to perform the work of an alternative fuels compression technician until such person has qualified and is certified as an alternative fuels compression technician. Provided, nothing in the Alternative Fuels Technician Certification Act shall be construed to prohibit a noncertified person from converting the engine of a farm tractor, as defined in Section 1-118 of Title 47 of the Oklahoma Statutes, to an engine fueled by alternative fuels, as long as such farm tractor is not operated on the roads and highways of this state.

SECTION 14. AMENDATORY 47 O.S. 1991, Section 854, as last amended by Section 10, Chapter 224, O.S.L. 1993 (47 O.S. Supp. 1993, Section 854), is amended to read as follows:

Section 854. ~~(a)~~ A. The Commissioner of Public Safety shall require that every motor vehicle, trailer, semitrailer and pole

trailer, as defined herein, registered or operated in this state be inspected once a year at official inspection stations as provided in this act, and that an official certificate of inspection and approval be obtained for each such vehicle; provided, however, that motor carriers and express companies operating under the jurisdiction of the Interstate Commerce Commission, and/or the Department of Transportation and interstate and/or intrastate owners and/or operators of commercial, private or public fleets of vehicles maintaining inspection and repair facilities which meet standards established by the Commissioner of Public Safety, may be authorized by the Commissioner to perform such inspections in such carriers' own maintenance shops, without bond, on vehicles owned or operated by them. The conversion equipment on any such vehicles fueled by alternative fuels as defined in Section 130.2 of Title 74 of the Oklahoma Statutes, shall be inspected once a year. Any station, facility or conversion center which converts motor vehicles to have the capability of being fueled by alternative fuels as defined by Section 130.2 of Title 74 of the Oklahoma Statutes may be authorized by the Commissioner to perform inspections as provided in this act.

Such inspections shall be made and such certificates obtained with respect to the mechanism and equipment of every such vehicle as shall be designated by the Commissioner of Public Safety.

B. The Commissioner of Public Safety shall require that every motor vehicle equipped to be fueled by compressed natural gas shall obtain the annual inspection required by subsection A of this section from an official compressed natural gas inspection station that holds a special permit issued pursuant to subsection C of Section 855 of this title.

C. Except for vehicles sold dealer to dealer, every vehicle when sold by a dealer must have been inspected and must meet the standards of inspection as provided in this act and must display a current inspection sticker.

D. The Commissioner of Public Safety is hereby authorized and directed to make necessary rules and regulations for the administration and enforcement of this act and to designate any period or periods of time during which owners of any vehicles, subject to this section, shall display upon such vehicle, except those vehicles exempted pursuant to Section 851 of this title, certificates of inspection and approval or shall produce the same upon demand of any officer or employee of the Department of Public Safety designated by the Commissioner of Public Safety or any police or peace officer when authorized by said Commissioner. As a part of such rules and regulations, the Commissioner of Public Safety shall include the requirement that every person subject to the in-lieu-of-tax fee under Section 723 of Title 68 of the Oklahoma Statutes display a current Oklahoma Tax Commission decal on the vehicle as described in Section 723 of Title 68 of the Oklahoma Statutes and that proper display of the decal shall be a requirement for the issuance of an official certificate of inspection and approval for any vehicle using an alternative fuel as defined in Section 130.2 of Title 74 of the Oklahoma Statutes.

~~(b)~~ E. The Commissioner of Public Safety shall also designate a special certificate of inspection and approval for all vehicles equipped to be fueled by compressed natural gas and shall require all special compressed natural gas inspection stations to issue the special certificate of inspection for any vehicle so equipped that has passed inspection. The certificate shall indicate on its face that the vehicle for which it is issued is equipped for compressed natural gas.

F. The Commissioner of Public Safety may authorize the acceptance in this state of a certificate of inspection and approval issued in another state having an inspection law similar to this act and may extend the time within which a certificate shall be obtained by the resident owner of a vehicle which was not in this state during the time an inspection was required.

~~(e)~~ G. The Commissioner of Public Safety may suspend the registration of any vehicle which he determines is in such unsafe condition as to constitute a menace to safety or which after notice and demand is not equipped as required in this act or for which a required certificate has not been obtained. Any person who shall have his vehicle registration suspended under the provisions of this section shall immediately forward his registration to the Department.

SECTION 15. AMENDATORY 47 O.S. 1991, Section 855, as amended by Section 11, Chapter 224, O.S.L. 1993 (47 O.S. Supp. 1993, Section 855), is amended to read as follows:

Section 855. ~~(a)~~ A. The Commissioner of Public Safety shall designate official inspection stations and shall issue permits for and furnish instructions and all necessary forms to said official inspection stations for the inspection of vehicles as required and the issuance of official certificates of inspection and approval. Said permits shall be renewed annually.

~~(b)~~ B. Application for a permit as an official inspection station shall be made upon an official form and shall be granted only when the Commissioner of Public Safety, after appropriate inquiry and investigation, is satisfied that the station is equipped in accordance with the requirements as prescribed by the Commissioner and is convinced that the owner-operator is of good character and has competent personnel to make such inspections and adjustments and will be properly conducted. Applications for a permit for an official inspection station, including applications for a permit for an official inspection station from an alternative fuel conversion center or facility, shall be accompanied by a fee of Twenty-five Dollars (\$25.00). Each annual renewal thereafter shall be Five Dollars (\$5.00). Applications for a permit for an official inspection station for operators of commercial, public, or private fleets of vehicles shall be accompanied by a fee of Fifteen Dollars (\$15.00), each annual renewal thereafter shall be Five Dollars (\$5.00). The Commissioner shall refund said fee if applicant fails to qualify for a permit or renewal under this section.

~~(c)~~ C. Subject to the application requirements specified in this section, the Commissioner of Public Safety shall issue a special compressed natural gas inspection station permit to any inspection station that:

1. Employs on a full-time basis at least one alternative fuels equipment technician certified pursuant to Section 130.16 of Title 74 of the Oklahoma Statutes; and

2. In all other respects qualifies for a permit as an official inspection station.

D. The Commissioner of Public Safety shall properly supervise and cause inspections to be made of such stations and shall suspend or revoke and require the surrender of the permit issued to a station which is not properly equipped or conducted. The Commissioner shall maintain and post at the office of the Department of Public Safety lists of all stations holding permits and those stations whose permits have been revoked.

~~(d)~~ E. No permit shall be revoked or suspended except upon notice to the holder and after an opportunity to be heard by the Commissioner. A permit may be temporarily suspended without notice

pending any investigation or hearing. Whenever any permit has been revoked, no permit shall be reissued to an applicant until after the expiration of a period of one (1) year from the date of such revocation.

~~(e)~~ F. Funds collected pursuant to the provisions of this section shall be remitted to the State Treasurer to be credited to the General Revenue Fund in the State Treasury.

SECTION 16. AMENDATORY 47 O.S. 1991, Section 856, is amended to read as follows:

Section 856. ~~(a)~~ A. No permit for an official station shall be assigned or transferred or used at any location other than therein designated and every said permit shall be posted in a conspicuous place at the location designated.

Upon payment of the first annual fee for an inspection permit by an approved inspection station, the Department of Public Safety shall issue to the station a uniform official inspection station sign to be posted in a conspicuous place at the inspection station. The official inspection station sign issued by the Department of Public Safety shall be the only sign used by inspection stations designating state approval.

Approved application for a renewal permit by the Department of Public Safety shall give an inspection station the authority to continue to use the sign. Upon suspension or revocation of an inspection permit or failure to qualify for a renewal permit or refusal to make application for a renewal permit the sign shall be surrendered to the Department of Public Safety.

~~(b)~~ B. The person operating an official inspection station shall issue a certificate of inspection and approval upon official forms, which shall be numbered serially and furnished by the Department of Public Safety, to the owner of a vehicle upon inspecting such vehicle and determining that its equipment required under the provisions of this act is in good condition and proper adjustment, otherwise no certificate shall be issued. When required by the Commissioner of Public Safety, records and reports shall be made by official inspection stations on every inspection and every certificate so issued.

~~(c)~~ C. Each official inspection station shall examine and test the following vehicle mechanical equipment on each inspection; brakes, steering, front and rear wheel suspension, exhaust systems, wheels and tires, windshield wipers, horn or warning device, including proper adjustment of turn signals, windshield and other glass, and lighting equipment.

~~(d)~~ D. Each official inspection station shall check to determine if the vehicle has a current vehicle license plate or license registration decal. If the vehicle does not display a plate or decal or if the plate or decal is expired, no certificate of inspection and approval shall be issued. If the vehicle is returned to the inspecting station within thirty (30) calendar days and bears a current vehicle license plate or license registration decal, the inspecting station shall issue a certificate of inspection and approval without additional fee.

E. With respect to any vehicle equipped to be fueled by compressed natural gas, any official inspection station holding a special compressed natural gas inspection station permit shall visually check, in addition to all other items required by this section, compressed natural gas equipment specified in any rules the Commissioner of Public Safety may promulgate. Such rules shall include specifications for testing or checking of the following:

1. Fuel supply containers;
2. Fuel lines or piping;

3. Fuel connections, check valves and dust cap;
4. Shut-off valves;
5. Pressure regulator;
6. Mixer and adapters;
7. Wiring;
8. Pressure relief valves and venting systems; and
9. Pressure gauges.

The rules shall further require that all equipment be properly installed, fully operational, and protected and free from damage. All equipment shall comply with and be installed fully in accordance with the standards established by the National Fire Protection Association Pamphlet No. 52 for Compressed Natural Gas Vehicle Fuel Systems or successor standards.

SECTION 17. AMENDATORY 47 O.S. 1991, Section 859, is amended to read as follows:

Section 859. ~~(a)~~ A. No person shall in any manner represent any place as an official inspection station unless such station is operating under a valid permit and plainly displaying an official inspection station sign issued by the Department of Public Safety.

~~(b)~~ B. No person shall display or cause or permit to be displayed upon any vehicle any certificate of inspection and approval knowing the same to be fictitious or issued for another vehicle or issued without an inspection having been made.

C. No person shall display or cause or permit to be displayed upon any vehicle that is equipped to be fueled with compressed natural gas any certificate of inspection and approval that has not been validly issued by an official compressed natural gas inspection station as required by Section 854 of this title.

SECTION 18. This act shall become effective September 1, 1994.

Passed the House of Representatives the 25th day of May, 1994.

Speaker of the House of
Representatives

Passed the Senate the 27th day of May, 1994.

President of the Senate