

ENGROSSED HOUSE  
BILL NO. 1562

By: Tyler and Adair of the  
House

and

Long (Ed) of the Senate

( alternative fuels - amending 74 O.S., Section 130.14 -  
Alternative Fuels Technician Certification Act - amending  
68 O.S., Section 2357.22 - effective date )

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

SECTION 1. AMENDATORY 74 O.S. 1991, Section 130.14, as amended by Section 7, Chapter 379, O.S.L. 1994 (74 O.S. Supp. 1994, Section 130.14), is amended to read as follows:

Section 130.14 A. There ~~is hereby~~ shall be 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 Department of Central Services as follows:

1. 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 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 Department of Central Services to continue in ~~his or her~~ the same capacity.

D. Vacancies which may occur in the membership of the Committee shall be filled by appointment of the Director of the 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~~ such person succeeds was appointed and until ~~his~~ the successor has been appointed and has qualified. Members of the Committee may be removed from office by the Director of the 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 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 2. AMENDATORY 68 O.S. 1991, Section 2357.22, as last amended by Section 1, Chapter 379, O.S.L. 1994 (68 O.S. Supp. 1994, Section 2357.22), 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, 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~~ the 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 3. This act shall become effective November 1, 1995.

Passed the House of Representatives the 1st day of March, 1995.

Speaker of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 1995.

President of the Senate

