ENGROSSED HOUSE
BILL NO. 1728 By: Osborn of the House

and

Justice of the Senate

An Act relating to alternative fuels; amending 74 O.S. 2011, Sections 130.13, as renumbered by Section 17, Chapter 328, O.S.L. 2014, 130.14, as last amended by Section 4, Chapter 328, O.S.L. 2014, and as renumbered by Section 18, Chapter 328, O.S.L. 2014, 130.15, as last amended by Section 5, Chapter 328, O.S.L. 2014, and as renumbered by Section 19, Chapter 328, O.S.L. 2014, 130.16, as last amended by Section 6, Chapter 328, O.S.L. 2014, and as renumbered by Section 20, Chapter 328, O.S.L. 2014, 130.17, as last amended by Section 7, Chapter 328, O.S.L. 2014, and as renumbered by Section 21, Chapter 328, O.S.L. 2014, 130.19, as last amended by Section 9, Chapter 328, O.S.L. 2014, and as renumbered by Section 23, Chapter 328, O.S.L. 2014, 130.22, as last amended by Section 11, Chapter 328, O.S.L. 2014, and as renumbered by Section 26, Chapter 328, O.S.L. 2014, 130.23, as renumbered by Section 27, Chapter 328, O.S.L. 2014 and 130.24, as renumbered by Section 28, Chapter 328, O.S.L. 2014 (40 O.S. Supp. 2014, Sections 142.5, 142.6, 142.7, 142.8, 142.9, 142.11, 142.14, 142.15 and 142.16), which relate to the Alternative Fuels Technician Certification Act; deleting definition; adding definition; deleting number of required examinations; modifying examination waiting period; deleting requirements for liability insurance; adding requirement for liability insurance for certain entities; changing certain accepted standards for this state; adding certain standards for alternative fuel fueling stations; allowing for issuance of alternative fuels trainee certificates; deleting certain certificates and fees; providing for written notice and opportunity for administrative hearing prior to suspensions or revocations; providing for written record and mailing

of certain actions; making certain notices public records; allowing for the renewal of a suspended certificate; providing for termination of a revoked certificate; providing process and criteria for application for new certificate that was previously revoked; modifying source of funds for the Alternative Fuels Technician Certification Revolving Fund; creating the Alternative Fuels Inspection Fees and Fines Revolving Fund; stating source of funding; stating purpose; providing for expenditures and warrants; changing references to the Alternative Fuels Technician Hearing Board; establishing fines for certain violations; setting time period for payment of fines; allowing an administrative hearing to contest a fine; providing for application to other law; and declaring an emergency.

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

SECTION 1. AMENDATORY 74 O.S. 2011, Section 130.13, as renumbered by Section 17, Chapter 328, O.S.L. 2014 (40 O.S. Supp. 2014, Section 142.5), is amended to read as follows:

Section 142.5 As used in the Alternative Fuels Technician Certification Act:

1. "Alternative fuels" means liquefied petroleum gas, natural gas and liquid fuels produced from natural gas, methanol, ethanol, electricity, coal-derived liquid fuels, hydrogen, biodiesel and fuels derived from biological materials;

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;~~

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

5. "Compressed natural gas vehicular fuel system" means an object or objects mounted, installed, attached or otherwise placed upon or within a vehicle or vehicle trailer to supply or assist in the supply of compressed natural gas as a fuel to an internal combustion engine or engines;

6. "Electric vehicle technician" means any person who installs, modifies, repairs, performs maintenance on, or renovates onboard charging systems, motors, controllers, power sources, or the drive systems of vehicles powered by electricity that is greater than eighty (80) volts. This includes vehicles originally equipped as electric vehicles, vehicles converted from gliders, and vehicles converted from internal combustion engine vehicles;

7. "Fill station" means the equipment and conveyance property that provides the delivery and, if required, compression of an alternative fuel other than electricity; and

8. "Glider" means a vehicle built without an engine or fuel system for the purpose of converting it to an electric vehicle.

SECTION 2. AMENDATORY 74 O.S. 2011, Section 130.14, as last amended by Section 4, Chapter 328, O.S.L. 2014, and as renumbered by Section 18, Chapter 328, O.S.L. 2014 (40 O.S. Supp. 2014, Section 142.6), is amended to read as follows:

Section 142.6 A. There is hereby established the Committee of Alternative Fuels Technician Examiners which shall consist of eight (8) members. All members of the Committee shall be residents of this state.

B. Five voting members of the Committee shall be appointed by the Commissioner of Labor as follows:

1. Three members shall be alternative fuels technicians selected from a list of names submitted by the State Board of Career and Technology 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. Two additional voting members shall be appointed by the Commissioner of Labor, one of whom shall be selected from a list of names submitted by the State Board of Career and Technology

Education and shall be an electric vehicle technician, and one of whom shall be a person involved in manufacturing, conversion, or research in the electric vehicle industry.

D. 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;

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;

6. One electric vehicle technician shall be appointed for a term of two (2) years; and

7. One person involved in manufacturing, conversion, or research in the electric vehicle industry shall be appointed for a term of three (3) 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 Commissioner of Labor to serve as Program Administrator and Recording Secretary to the Committee.

E. Vacancies which may occur in the membership of the Committee shall be filled by appointment of the Commissioner of Labor. Each person who has been appointed to fill a vacancy shall serve for the remainder of the term for which the member such person succeeds was appointed and until a successor has been appointed and has qualified. Members of the Committee may be removed from office by the Commissioner of Labor for cause in the manner provided by law for the removal of officers not subject to impeachment.

F. The Committee shall assist and advise the Commissioner of Labor on all matters relating to the formulation of rules and standards in accordance with the Alternative Fuels Technician Certification Act. The ~~Committee~~ Commissioner of Labor or designee shall administer the examinations of applicants for certification as alternative fuels equipment technicians, alternative fuels compression technicians, and electric vehicle technicians provided that such examinations shall be in accordance with the provisions of the Alternative Fuels Technician Certification Act.

G. 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.

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

SECTION 3. AMENDATORY 74 O.S. 2011, Section 130.15, as last amended by Section 5, Chapter 328, O.S.L. 2014, and as renumbered by Section 19, Chapter 328, O.S.L. 2014 (40 O.S. Supp. 2014, Section 142.7), is amended to read as follows:

Section 142.7 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.

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 for certification as electric vehicle technicians shall be uniform and practical in nature for electric vehicle technician certification and shall be sufficiently strict to test the qualifications and fitness of the applicants for certificates.

D. 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)~~ thirty (30) days.

E. The Department of Labor shall enforce the provisions of this section.

SECTION 4. AMENDATORY 74 O.S. 2011, Section 130.16, as last amended by Section 6, Chapter 328, O.S.L. 2014, and as renumbered by Section 20, Chapter 328, O.S.L. 2014 (40 O.S. Supp. 2014, Section 142.8), is amended to read as follows:

Section 142.8 A. The Department of Labor 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~~ 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.~~ 2. 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 Labor 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; and

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. The Department of Labor shall issue a certificate as an electric vehicle technician to any person who:

1. 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

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~~.

D. 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 Labor 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. 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 shall provide the Department of Labor with proof of liability insurance

with limits of not less than One Million Dollars ($1,000,000.00) general liability.

E. 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 Labor 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 or electric vehicle technicians. Any violations by a certified alternative fuels compression technician or electric vehicle technician shall be deemed a violation by the certified company, partnership or corporation employing such certified technician. A company, partnership or corporation engaged in the business of installing, servicing, repairing, modifying or renovating fill stations shall provide the Department of Labor with proof of liability insurance with limits of not less than One Million Dollars ($1,000,000.00) general liability.

F. In conjunction with subsection A of this section, the Department of Labor 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 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 Labor, Committee of Alternative Fuels Technician Examiners. This subsection shall not apply to allow certification of any alternative fuels compression technician training programs.

G. All alternative fuels equipment technician certificates, alternative fuels compression technician certificates, and electric vehicle 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.

H. 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~~ <u>in the codes adopted by the Oklahoma Uniform Building Code Commission pursuant to the Oklahoma Uniform Building Code Act shall be the accepted codes and standards for this state. The</u> 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 accepted standards for this state for electric

vehicle charge stations shall be the ~~National Electric Code (NEC)~~ codes adopted by the Oklahoma Uniform Building Code Commission. The standards for the design, construction, installation, repair, use and inspection of alternative fuel fueling stations, including residential fueling appliances and facilities, in the codes adopted by the Oklahoma Uniform Building Code Commission pursuant to the Oklahoma Uniform Building Code Commission Act shall be the accepted codes and standards for this state. The Commissioner of Labor is authorized, and it shall be ~~his or her~~ the duty of the Commissioner 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 Commissioner of Labor is further authorized to modify or amend such rules or specifications as he or she deems reasonable and necessary.

I. The Department of Labor may issue an alternative fuels trainee certificate to any person who submits a trainee application to the Department within fifteen (15) business days of being hired by a licensed alternative fuels conversion company. An alternative fuels trainee shall be employed by a licensed alternative fuels conversion company located in Oklahoma. A trainee shall work under the direct supervision of a licensed alternative fuels equipment technician. There shall be no more than two alternative fuels trainees per licensed alternative fuels equipment technician at any licensed Oklahoma alternative fuels conversion company at any one

time. An individual that holds a trainee license may engage in any licensed category pursuant to the Alternative Fuels Technician Certification Act while under the direct supervision of an individual holding the appropriate license in the category of activity being performed.

SECTION 5. AMENDATORY 74 O.S. 2011, Section 130.17, as last amended by Section 7, Chapter 328, O.S.L. 2014, and as renumbered by Section 21, Chapter 328, O.S.L. 2014 (40 O.S. Supp. 2014, Section 142.9), is amended to read as follows:

Section 142.9 A. 1. All applications for examination, certification or renewal of certification shall be made in writing to the Department of Labor on forms provided, if necessary, by the Department of Labor. All applications shall be accompanied by the appropriate fee.

2. If a person holds a valid Class I Dealer Permit properly issued by the Oklahoma Liquefied Petroleum Gas Board, pursuant to Section 420.4 of Title 52 of the Oklahoma Statutes, the requirements of this section for certification or renewal of certification shall not be required.

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

Alternative Fuels Equipment Technician Examination	$50.00
Alternative Fuels Compression Technician Examination	$50.00
Electric Vehicle Technician Examination	$50.00

Alternative Fuels Equipment Technician Certificate $50.00

Alternative Fuels Compression Technician Certificate $50.00

Electric Vehicle Technician Certificate $50.00

Certificate renewal, if made within thirty (30) days after expiration:

Alternative Fuels Equipment Technician Certificate $50.00

Alternative Fuels Compression Technician Certificate $50.00

Electric Vehicle Technician Certificate $50.00

Penalty for Late Certification Renewal:

Alternative Fuels Equipment Technician Certificate $10.00

Alternative Fuels Compression Technician Certificate $10.00

Electric Vehicle Technician Certificate $10.00

~~Certificate fee if certified after March 1 of each year:~~

~~Alternative Fuels Equipment Technician Certificate $25.00~~

~~Alternative Fuels Compression Technician Certificate $25.00~~

~~Electric Vehicle Technician Certificate $25.00~~

~~Certificate fee if certified after June 1 of each year:~~

~~Alternative Fuels Equipment Technician Certificate $12.50~~

~~Alternative Fuels Compression Technician Certificate $12.50~~

~~Electric Vehicle Technician Certificate $12.50~~

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 6. AMENDATORY 74 O.S. 2011, Section 130.19, as last amended by Section 9, Chapter 328, O.S.L. 2014, and as renumbered by Section 23, Chapter 328, O.S.L. 2014 (40 O.S. Supp. 2014, Section 142.11), is amended to read as follows:

Section 142.11 A. The Commissioner of Labor or designee may suspend or revoke any license, certificate or registration for cause upon recommendation of the Committee of Alternative Fuels Technician Examiners and shall comply with the provisions of the Administrative Procedures Act.

B. The Commissioner of Labor or designee may, upon the motion of the Commissioner or designee, and shall, upon written complaint filed by any person, investigate the business transactions of any certified alternative fuels equipment or compression technician, or electric vehicle technician. The results of the investigation may be presented to the Committee and the Committee may recommend suspension or revocation of the license, certificate or registration. The Commissioner of Labor or designee shall suspend or revoke any certificate or registration obtained by false or fraudulent representation. The Commissioner of Labor or designee

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, alternative fuels compression technician, or electric vehicle technician;

4. Violating any provisions of the Alternative Fuels Technician Certification Act, or any rule or order prescribed by the Department of Labor; or

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

Any person whose alternative fuels equipment technician certificate, alternative fuels compression technician certificate, or electric vehicle technician certificate has been revoked by the Commissioner of Labor or designee may apply for a new certificate one (1) year from the date of such revocation.

C. Before final action under subsections A and B of this section, the Committee shall provide thirty (30) days written notice to the applicant or licensee involved of the intended action and give sufficient opportunity for the person to request an administrative hearing and to be represented by an attorney. If

requested, a hearing shall be scheduled by the Commissioner as provided in the Administrative Procedures Act.

D. In the event the Commissioner denies the application for, or revokes or suspends, any certificate or imposes any reprimand, a record of the action shall be in writing and officially signed by the Commissioner. The original copy shall be filed with the Department of Labor and a copy mailed to the affected applicant or licensee within two (2) days of the final action taken by the Commissioner.

E. Notice of the suspension or revocation of any license shall be made public record.

F. A suspended certificate shall be subject to expiration and may be renewed as provided by the Alternative Fuels Technician Certification Act, regardless of the term of suspension. A renewal of a suspended certificate shall not remove the suspension term.

G. Except as otherwise provided, a revoked certificate terminates on the date of revocation and cannot be reinstated. The Commissioner may reverse the revocation action. Any licensee whose certificate is revoked may apply for a new certificate. The licensee shall meet all requirements for a certificate as stated in the Alternative Fuels Technician Certification Act. The Committee may recommend issuance or denial of a new certificate. In determining whether to issue or deny a new certificate, the Committee shall consider, but not be limited to, the nature,

circumstances, and gravity of the violation or violations leading to revocation, the degree of culpability, and any show of good faith in attempting to achieve compliance with the provisions of the Alternative Fuels Technician Certification Act, and whether the applicant has demonstrated good moral character.

SECTION 7. AMENDATORY 74 O.S. 2011, Section 130.22, as last amended by Section 11, Chapter 328, O.S.L. 2014, and as renumbered by Section 26, Chapter 328, O.S.L. 2014 (40 O.S. Supp. 2014, Section 142.14), is amended to read as follows:

Section 142.14 A. All monies received by the Department of Labor under the Alternative Fuels Technician Certification Act and derived from Alternative Fuels Technician certification fees and related enforcement actions and fines shall be deposited with the State Treasurer and credited to the "Alternative Fuels Technician Certification Revolving Fund". The revolving fund shall be a continuing fund not subject to fiscal year limitations and shall be under the control and management of the Department of Labor. Expenditures from this fund shall be made pursuant to the purposes of the Alternative Fuels Technician Certification Act and shall include, but not be limited to, payment of operating costs, costs of programs designed to promote public awareness of the alternative fuels industry, expenditures for the preparation and printing of regulations, bulletins or other documents and the furnishing of copies of the documents to those persons engaged in the alternative

fuels industry or the public, and expenses the Department of Labor incurs to support program operations. Warrants for expenditures shall be drawn by the State Treasurer based on claims signed and approved for payment by the Director of the Office of Management and Enterprise Services.

B. All monies received by the Department of Labor under the Alternative Fuels Technician Certification Act and derived from the inspection of alternative fuel fill stations and related enforcement actions shall be deposited with the State Treasurer and credited to the "Alternative Fuels Inspection Fees and Fines Revolving Fund". The revolving fund shall be a continuing fund not subject to fiscal year limitations and shall be under the control and management of the Department of Labor. Expenditures from the fund shall be made pursuant to the purposes of the Alternative Fuel Fill Station Inspection and Licensing Program under the Alternative Fuels Technician Certification Act and shall include, but not be limited to, payment of administrative costs and other operational costs supporting the program, payment of costs designed to promote public awareness of the alternative fuels industry, expenditures for the preparation and printing of regulations, bulletins or other documents and the furnishing of copies of the documents to those persons engaged in the alternative fuels industry or the public. Warrants for expenditures shall be drawn by the State Treasurer

based on claims signed and approved for payment by the Director of the Office of Management and Enterprise Services.

SECTION 8. AMENDATORY 74 O.S. 2011, Section 130.23, as renumbered by Section 27, Chapter 328, O.S.L. 2014 (40 O.S. Supp. 2014, Section 142.15), is amended to read as follows:

Section 142.15 Any person convicted of violating any provision of the Alternative Fuels Technician Certification Act shall be guilty of a misdemeanor. The continued violation of any provision of the Alternative Fuels Technician Certification Act during each day shall be deemed to be a separate offense. Upon conviction thereof the person shall be punished by imprisonment in the county jail not to exceed one (1) year, or by a fine of not more than One Thousand Dollars ($1,000.00), or by both such fine and imprisonment for each offense. The ~~Alternative Fuels Technician Hearing Board~~ Commissioner of Labor or designee may request the appropriate district attorney to prosecute such violation and seek an injunction against such practice.

SECTION 9. AMENDATORY 74 O.S. 2011, Section 130.24, as renumbered by Section 28, Chapter 328, O.S.L. 2014 (40 O.S. Supp. 2014, Section 142.16), is amended to read as follows:

Section 142.16 A. Any person who has been determined by the ~~Alternative Fuels Technician Hearing Board~~ Commissioner of Labor or designee to have violated any provision of the Alternative Fuels Technician Certification Act or any rule or order issued pursuant to

the provisions of the Alternative Fuels Technician Certification Act may be liable for a civil penalty of not more than One Hundred Dollars ($100.00) for each day that said violation occurs. The maximum civil penalty shall not exceed Ten Thousand Dollars ($10,000.00) for any related series of violations.

B. The amount of the penalty shall be assessed by the ~~Board~~ Commissioner of Labor or designee pursuant to the provisions of subsection A of this section, after notice and hearing. In determining the amount of the penalty, the ~~Board~~ Commissioner of Labor or designee shall include, but not be limited to, consideration of the nature, circumstances, and gravity of the violation and, with respect to the person found to have committed the violation, the degree of culpability, and any show of good faith in attempting to achieve compliance with the provisions of the Alternative Fuels Technician Certification Act. All monies collected from such civil penalties shall be deposited with the State Treasurer of Oklahoma and placed in the Alternative Fuels Technician Certification Revolving Fund.

C. Any certificate holder may elect to surrender his certificate in lieu of said fine but shall be forever barred from obtaining a reissuance of said certificate.

D. In addition to, or in lieu of, the civil penalties set forth in subsections A and B of this section, the Commissioner of Labor or

designee, at the discretion of the Commissioner or designee, may assess the following fines for violations of the act:

1. Failure to meet the applicable adopted minimum standards in the installation, modification, repair, maintenance, or renovation of an alternative fuel fill station, an electric vehicle charge station or alternative fuel vehicle equipment, per occurrence: $200.00

2. Performing the work or offering, by advertisement or otherwise, to perform the work of an alternative fuels equipment technician without valid certification, per occurrence: $200.00

3. Performing the work or offering, by advertisement or otherwise, to perform the work of an alternative fuels compression technician without valid certification, per occurrence: $200.00

4. Performing the work or offering, by advertisement or otherwise, to perform the work of an electric vehicle technician without valid certification, per occurrence: $200.00

5. Performing the work or offering, by advertisement or otherwise, to perform the work of an alternative fuels installation company, partnership or corporation without valid certification, per occurrence: $500.00

E. Payment for the fines set forth in subsection D of this section shall be due within thirty (30) days of issuance of a citation by the Commissioner or designee. Any person wishing to contest any of the aforementioned fines shall petition the Commissioner or designee for an administrative hearing, in writing, within thirty (30) days of issuance of the fine or fines. If requested, the hearing shall then be scheduled by the Commissioner or designee as provided in the Administrative Procedures Act.

F. Nothing in this section shall be construed to prevent revocation or suspension of a certificate pursuant to Section 142.11 of this title.

SECTION 10. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 4th day of March, 2015.

_____
Presiding Officer of the House of Representatives

Passed the Senate the ___ day of _____, 2015.

_____
Presiding Officer of the Senate