STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

HOUSE BILL 2622 By: Osborn

AS INTRODUCED

An Act relating to alternative fuels; amending 74 O.S. 2011, Sections 130.14, as renumbered by Section 18, Chapter 328, O.S.L. 2014 and as last amended by Section 2, Chapter 181, O.S.L. 2015, 130.16, as renumbered by Section 20, Chapter 328, O.S.L. 2014 and as last amended by Section 4, Chapter 181, O.S.L. 2015 and 130.17, as renumbered by Section 21, Chapter 328, O.S.L. 2014 and as last amended by Section 5, Chapter 181, O.S.L. 2015 (40 O.S. Supp. 2015, Sections 142.6, 142.8 and 142.9), which relate to the Alternative Fuels Technician Certification Act; changing selection criteria for certain member of the Committee of Alternative Fuels Technician Examiners; modifying duties of certain officer to the Committee; authorizing the Department of Labor to issue an alternative fuels compression trainee certificate; limiting employment of a trainee; requiring trainee to work under the direct supervision of a certain technician; limiting the number of trainees working with a technician or on a job site; allowing a trainee to engage in certain licensed categories under certain conditions; adding fee for certain certificate and certificate renewal; modifying fee for annual renewal of certain certification; and declaring an emergency.

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

SECTION 1. AMENDATORY 74 O.S. 2011, Section 130.14, as renumbered by Section 18, Chapter 328, O.S.L. 2014 and as last

amended by Section 2, Chapter 181, O.S.L. 2015 (40 O.S. Supp. 2015, 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 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 2. AMENDATORY 74 O.S. 2011, Section 130.16, as renumbered by Section 20, Chapter 328, O.S.L. 2014 and as last amended by Section 4, Chapter 181, O.S.L. 2015 (40 O.S. Supp. 2015, 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 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.

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.

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.

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 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 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 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 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.

J. The Department of Labor may issue an alternative fuels compression 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 fill-station installation business. An alternative fuels compression trainee shall be employed by a licensed alternative fuels fill-station installation business located in Oklahoma. A trainee shall work under the direct supervision of a licensed alternative fuels compression technician. There shall be no more than two alternative fuels compression trainees per licensed alternative fuels compression technician at any licensed Oklahoma alternative fuels

fill-station installation business or the job site or sites of any such alternative fuels fill-station installation business 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 3. AMENDATORY 74 O.S. 2011, Section 130.17, as renumbered by Section 21, Chapter 328, O.S.L. 2014 and as last amended by Section 5, Chapter 181, O.S.L. 2015 (40 O.S. Supp. 2015, 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
Alternative Fuels Equipment or Compression Technician Certificate	$25.00
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
Alternative Fuels Equipment or Compression Technician Certificate	$25.00
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
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 $250.00

for each dispenser nozzle

at the location or

$1,000.00

whichever amount is less

SECTION 4. 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.

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