

**COMMITTEE AMENDMENT**

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3297 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by  
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Leslie Osborn

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 PROPOSED COMMITTEE  
4 SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 3297

By: Osborn

8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to compressed natural gas;  
10 transferring the regulation of compressed natural gas  
11 fueling stations from the Corporation Commission to  
12 the Department of Labor; transferring the  
13 implementation and enforcement of the Alternative  
14 Fuels Technician Certification Act from the Office of  
15 Management and Enterprise Services to the Department  
16 of Labor; allowing certain contracts; providing for  
17 the transfer of certain funds, property, records and  
18 financial obligations; limiting expenditures of  
19 certain funds and use of certain property; providing  
20 for the transfer of funds, property and records  
21 acquired after certain date; including certain  
22 licensing fees and payment of fines; prohibiting  
23 certain contracts; providing for the enforcement of  
24 licenses, registrations, certifications and  
accreditations; requiring the Director of the Office  
of Management and Enterprise Services to coordinate  
certain transfers; providing for enforcement of  
certain administrative rules; granting the Department  
of Labor authority to amend or repeal certain rules;  
amending Section 1, Chapter 95, O.S.L. 2013 (52 O.S.  
Supp. 2013, Section 348), which relates to inspection  
of compressed natural gas fueling stations or pumps  
by the Corporation Commission; changing authority  
from the Corporation Commission to the Department of  
Labor; requiring certain fueling stations to have an  
annual inspection and remit a registration fee;  
providing for deposit of the fee; amending 74 O.S.  
2011, Sections 130.11, 130.14, as amended by Section  
825, Chapter 304, O.S.L. 2012, 130.15, as amended by

1 Section 826, Chapter 304, O.S.L. 2012, 130.16, as  
2 amended by Section 827, Chapter 304, O.S.L. 2012,  
3 130.17, as amended by Section 828, Chapter 304,  
4 O.S.L. 2012, 130.18, as amended by Section 829,  
5 Chapter 304, O.S.L. 2012, 130.19, as amended by  
6 Section 830, Chapter 304, O.S.L. 2012, 130.21, as  
7 amended by Section 831, Chapter 304, O.S.L. 2012,  
8 130.22, as amended by Section 832, Chapter 304,  
9 O.S.L. 2012 (74 O.S. Supp. 2013, Sections 130.14,  
10 130.15, 130.16, 130.17, 130.18, 130.19, 130.21 and  
11 130.22), which relate to the Alternative Fuels  
12 Technician Certification Act; updating statutory  
13 language; changing references from the Director of  
14 the Office of Management and Enterprise Services to  
15 the Commissioner of Labor; changing references from  
16 the Office of Management and Enterprise Services to  
17 the Department of Labor; deleting obsolete language;  
18 deleting designation of the Alternative Fuels  
19 Technician Hearing Board; changing references from  
20 the Alternative Fuels Technician Hearing Board to the  
21 Commissioner of Labor; authorizing the Commissioner  
22 of Labor or designee to suspend or revoke a license,  
23 certificate or registration under certain  
24 circumstance; amending 68 O.S. 2011, Section 2357.22,  
as last amended by Section 1, Chapter 252, O.S.L.  
2013 (68 O.S. Supp. 2013, Section 2357.22), which  
relates to credit for investments in qualified clean-  
burning motor fuel vehicle property; modifying credit  
for qualified clean-burning motor vehicle fuel  
property; directing the Oklahoma Tax Commission to  
transfer certain amount of revenue based on the  
credit to the Compressed Natural Gas Conversion  
Safety and Regulation Fund; creating the Compressed  
Natural Gas Conversion Safety and Regulation Fund;  
stating source of funding; specifying purpose of  
expenditures from the fund; requiring expenditures to  
be made on warrants; providing for codification;  
providing for recodification; providing an effective  
date; and declaring an emergency.

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

1       SECTION 1.       NEW LAW       A new section of law to be codified

2 in the Oklahoma Statutes as Section 142.1 of Title 40, unless there  
3 is created a duplication in numbering, reads as follows:

4       A. On the effective date of this act, all powers, duties,  
5 responsibilities, records and equipment of the Corporation  
6 Commission relating exclusively to the regulation of compressed  
7 natural gas fueling stations are hereby transferred and shall be  
8 placed under the authority of the Department of Labor.

9       B. On the effective date of this act, all powers, duties,  
10 responsibilities, records and equipment of the Office of Management  
11 and Enterprise Services relating exclusively to the implementation  
12 and enforcement of the Alternative Fuels Technician Certification  
13 Act are hereby transferred and shall be placed under the authority  
14 of the Department of Labor. To the extent practicable, the transfer  
15 shall include all computer hardware and software used in regulating  
16 the functions listed in this subsection.

17       C. The Corporation Commission, the Commissioner of Labor and  
18 the Director of the Office of Management and Enterprise Services may  
19 contract for additional legal and administrative services as  
20 necessary to effectuate the transfers as provided for in this  
21 section.

22       D. 1. All unexpended funds, property, furnishings, equipment,  
23 supplies, records, and outstanding financial obligations and  
24 encumbrances of the Corporation Commission relating to the

1 regulation of natural gas fueling stations and of the Office of  
2 Management and Enterprise Services relating to the implementation  
3 and enforcement of the Alternative Fuels Technician Certification  
4 Act shall be transferred to the Department of Labor for the  
5 continuing performance of duties relating to the regulation of  
6 natural gas fueling stations and implementation and enforcement of  
7 the Alternative Fuels Technician Certification Act. No funds,  
8 property, furnishings, equipment, supplies or records may be  
9 expended or used for any purpose other than the performance of  
10 duties and responsibilities as directed and required in this act.

11 2. Any funds, properties, furnishings, equipment, supplies, or  
12 records related in any manner to the regulation of natural gas  
13 fueling stations and implementation and enforcement of the  
14 Alternative Fuels Technician Certification Act which may not be in  
15 the current possession of the Corporation Commission or the Office  
16 of Management and Enterprise Services on the effective date of this  
17 act, but which come into the possession of the Corporation  
18 Commission or the Office of Management and Enterprise Services after  
19 the transfer of authority to the Department of Labor as provided in  
20 this act, shall immediately be transferred to the Department of  
21 Labor. Items subject to the immediate transfer shall include, but  
22 are not limited to, any misdirected licensing fees or payments of  
23 outstanding administrative fines.

24

1 E. The Corporation Commission and the Director of the Office of  
2 Management and Enterprise Services shall not enter into any contract  
3 or agreement relating to the regulation of natural gas fueling  
4 stations or implementation and enforcement of the Alternative Fuels  
5 Technician Certification Act extending beyond the effective date of  
6 the transfer without approval by the Commissioner of Labor.

7 F. All licenses, registrations, certifications and  
8 accreditations issued by the Office of Management and Enterprise  
9 Services pursuant to the Alternative Fuels Technician Certification  
10 Act that are in effect on the effective date of this act shall  
11 remain in full force and effect and shall be enforceable by the  
12 Department of Labor.

13 G. The Director of the Office of Management and Enterprise  
14 Services shall coordinate the transfer of funds, allotments,  
15 purchase orders and outstanding financial obligations and  
16 encumbrances relating to the regulation of natural gas fueling  
17 stations and the implementation and enforcement of the Alternative  
18 Fuels Technician Certification Act as transferred pursuant to the  
19 provisions of this act.

20 H. Upon the effective date of this act, all administrative  
21 rules promulgated by the Office of Management and Enterprise  
22 Services relating to the implementation and enforcement of the  
23 Alternative Fuels Technician Certification Act shall be enforceable  
24 by the Commissioner of Labor. The rules shall continue in force and

1 effect after the effective date of this act, and the Commissioner of  
2 Labor shall have authority to amend, repeal, recodify or make  
3 additions to the rules pursuant to the Administrative Procedures  
4 Act.

5 I. Employees of the Office of Management and Enterprise  
6 Services with duties relating to the Alternative Fuels Technician  
7 Certification Act shall not be transferred to the Department of  
8 Labor. On the effective date of this act, the Department of Labor  
9 shall carry out the duties and responsibilities of the Alternative  
10 Fuels Technician Certification Act within the current full-time-  
11 equivalent personnel limits and appropriations of the Department.

12 SECTION 2. AMENDATORY Section 1, Chapter 95, O.S.L. 2013  
13 (52 O.S. Supp. 2013, Section 348), is amended to read as follows:

14 Section 348. A. ~~The Corporation Commission~~ Department of Labor  
15 shall have authority to have access to and inspect any equipment,  
16 including compression equipment and storage tanks, practices or  
17 methods used by or in association with any public access compressed  
18 natural gas fueling station or pump.

19 B. ~~The Commission~~ Department may promulgate rules as necessary  
20 to implement the provisions of this section.

21 C. Each public access compressed natural gas fueling station  
22 shall remit annually to the Department an inspection and  
23 registration fee of One Hundred Fifty Dollars (\$150.00). The  
24

1 registration fees shall be deposited in the Alternative Fuels  
2 Technician Certification Revolving Fund.

3 SECTION 3. AMENDATORY 74 O.S. 2011, Section 130.11, is  
4 amended to read as follows:

5 Section 130.11 ~~Sections 1 through 14 of this~~ This act shall be  
6 known and may be cited as the "Alternative Fuels Technician  
7 Certification Act".

8 SECTION 4. AMENDATORY 74 O.S. 2011, Section 130.14, as  
9 amended by Section 825, Chapter 304, O.S.L. 2012 (74 O.S. Supp.  
10 2013, Section 130.14), is amended to read as follows:

11 Section 130.14 A. There is hereby established the Committee of  
12 Alternative Fuels Technician Examiners which shall consist of eight  
13 (8) members. All members of the Committee shall be residents of  
14 this state.

15 B. Five voting members of the Committee shall be appointed by  
16 the ~~Director of the Office of Management and Enterprise Services~~  
17 Commissioner of Labor as follows:

18 1. ~~Beginning September 1, 1994, three~~ Three members shall be  
19 alternative fuels technicians selected from a list of names  
20 submitted by the State Board of Career and Technology Education,  
21 with at least one member being an alternative fuels equipment  
22 technician and at least one member being an alternative fuels  
23 compression technician;

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

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

5        C. ~~Beginning November 1, 1998, two~~ Two additional voting  
6 members shall be appointed by the ~~Director of the Office of~~  
7 ~~Management and Enterprise Services~~ Commissioner of Labor, one of  
8 whom shall be selected from a list of names submitted by the State  
9 Board of Career and Technology Education and shall be an electric  
10 vehicle technician, and one of whom shall be a person involved in  
11 manufacturing, conversion, or research in the electric vehicle  
12 industry.

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

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

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

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

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

4        5. One person involved in liquefied petroleum gas technology in  
5 an oil and/or gas industry shall be appointed for a term of four (4)  
6 years;

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

9        7. One person involved in manufacturing, conversion, or  
10 research in the electric vehicle industry shall be appointed for a  
11 term of three (3) years.

12        Thereafter, each voting member of the Committee shall be  
13 appointed for a term of five (5) years, or until their successors  
14 are appointed and qualified.

15        The nonvoting member shall be designated by the ~~Director of the~~  
16 ~~Office of Management and Enterprise Services~~ Commissioner of Labor  
17 to serve as Program Administrator and Recording Secretary to the  
18 Committee. ~~It is the intent of the Legislature that the person~~  
19 ~~acting as the Program Administrator and Recording Secretary to the~~  
20 ~~Committee as of the effective date of this act be transferred to the~~  
21 ~~Office of Management and Enterprise Services to continue in his or~~  
22 ~~her capacity.~~

23        E. Vacancies which may occur in the membership of the Committee  
24 shall be filled by appointment of the ~~Director of the Office of~~

1 ~~Management and Enterprise Services~~ Commissioner of Labor. Each  
2 person who has been appointed to fill a vacancy shall serve for the  
3 remainder of the term for which the member such person succeeds was  
4 appointed and until a successor has been appointed and has  
5 qualified. Members of the Committee may be removed from office by  
6 the ~~Director of the Office of Management and Enterprise Services~~  
7 Commissioner of Labor for cause in the manner provided by law for  
8 the removal of officers not subject to impeachment.

9 F. The Committee shall assist and advise the ~~Office of~~  
10 ~~Management and Enterprise Services~~ Commissioner of Labor on all  
11 matters relating to the formulation of rules and standards in  
12 accordance with the Alternative Fuels Technician Certification Act.  
13 The Committee shall administer the examinations of applicants for  
14 certification as alternative fuels equipment technicians,  
15 alternative fuels compression technicians, and electric vehicle  
16 technicians provided that such examinations shall be in accordance  
17 with the provisions of the Alternative Fuels Technician  
18 Certification Act.

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

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

1       SECTION 5.       AMENDATORY       74 O.S. 2011, Section 130.15, as  
2 amended by Section 826, Chapter 304, O.S.L. 2012 (74 O.S. Supp.  
3 2013, Section 130.15), is amended to read as follows:

4       Section 130.15 A. Examinations for certification as  
5 alternative fuels equipment technicians shall be uniform and  
6 practical in nature for alternative fuels equipment technician  
7 certification and shall be sufficiently strict to test the  
8 qualifications and fitness of the applicants for certificates.

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

14       C. Examinations for certification as electric vehicle  
15 technicians shall be uniform and practical in nature for electric  
16 vehicle technician certification and shall be sufficiently strict to  
17 test the qualifications and fitness of the applicants for  
18 certificates.

19       D. Examinations shall be in whole or in part in writing. The  
20 Committee shall conduct examinations twice a year and at such other  
21 times as it deems necessary. Any applicant initially failing to  
22 pass the examination shall not be permitted to take another  
23 examination for a period of thirty (30) days. Any applicant  
24

1 subsequently failing to pass the examination shall not be permitted  
2 to take another examination for a period of ninety (90) days.

3 E. ~~The Office of Management and Enterprise Services~~ Department  
4 of Labor shall enforce the provisions of this section.

5 SECTION 6. AMENDATORY 74 O.S. 2011, Section 130.16, as  
6 amended by Section 827, Chapter 304, O.S.L. 2012 (74 O.S. Supp.  
7 2013, Section 130.16), is amended to read as follows:

8 Section 130.16 A. ~~The Office of Management and Enterprise~~  
9 ~~Services~~ Department of Labor shall issue a certificate as an  
10 alternative fuels equipment technician to any person who:

11 1. Has been licensed by the Oklahoma Liquefied Petroleum Gas  
12 Board and has successfully passed the appropriate examination as  
13 provided in the Alternative Fuels Technician Certification Act; or

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

19 3. Has paid the certification fee and otherwise complied with  
20 the provisions of the Alternative Fuels Technician Certification  
21 Act; and

22 4. Has provided proof of liability insurance with limits of not  
23 less than Fifty Thousand Dollars (\$50,000.00) general liability.  
24

1       B.   ~~The Office of Management and Enterprise Services~~ Department  
2 of Labor shall issue a certificate as an alternative fuels  
3 compression technician to any person who:

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

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

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

15       C.   ~~The Office of Management and Enterprise Services~~ Department  
16 of Labor shall issue a certificate as an electric vehicle technician  
17 to any person who:

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

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

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

6        D. In the case of a company, partnership or corporation engaged  
7 in the business of installing, servicing, repairing, modifying or  
8 renovating equipment used in the conversion of engines to engines  
9 fueled by alternative fuels, a separate certificate shall be issued  
10 by the ~~Office of Management and Enterprise Services~~ Department of  
11 Labor to that individual company, partnership or corporation. This  
12 certificate is for the express purpose of recognizing that the  
13 company, partnership or corporation is an authorized alternative  
14 fuels conversion business and employs state-certified alternative  
15 fuels equipment technicians. Any violations by a certified  
16 alternative fuels equipment technician shall be deemed a violation  
17 by the certified company, partnership or corporation employing such  
18 certified technician.

19        E. In the case of a company, partnership or corporation engaged  
20 in the business of installing, servicing, repairing, modifying or  
21 renovating fill stations, a separate certificate shall be issued by  
22 the ~~Office of Management and Enterprise Services~~ Department of Labor  
23 to that individual company, partnership or corporation. This  
24 certificate is for the express purpose of recognizing that the

1 company, partnership or corporation is an authorized fill station  
2 installation business and employs state-certified alternative fuels  
3 compression technicians or electric vehicle technicians. Any  
4 violations by a certified alternative fuels compression technician  
5 or electric vehicle technician shall be deemed a violation by the  
6 certified company, partnership or corporation employing such  
7 certified technician.

8 F. In conjunction with subsection A of this section, the ~~Office~~  
9 ~~of Management and Enterprise Services~~ Department of Labor shall  
10 issue an Alternative Fuels Equipment Installation Certification to  
11 any public entity or private company, partnership or corporation  
12 that operates commercial, private or public fleets of vehicles and  
13 employs ten (10) or more auto service technicians per location. The  
14 certification shall be based on the ability of the applicant to  
15 provide their own alternative fuels equipment technician training  
16 program which shall be certified by the ~~Office of Management and~~  
17 ~~Enterprise Services~~ Department of Labor, Committee of Alternative  
18 Fuels Technician Examiners. This subsection shall not apply to  
19 allow certification of any alternative fuels compression technician  
20 training programs.

21 G. All alternative fuels equipment technician certificates,  
22 alternative fuels compression technician certificates, and electric  
23 vehicle technician certificates shall be nontransferable and it  
24 shall be unlawful for any person certified pursuant to the

1 provisions of the Alternative Fuels Technician Certification Act to  
2 loan or allow the use of such certificate by any other person,  
3 except as specifically provided in the Alternative Fuels Technician  
4 Certification Act.

5 H. The standards for the storage and handling of liquefied  
6 petroleum gases adopted by the National Fire Protection Association  
7 and published in the latest edition of its Pamphlet No. 58 and the  
8 standards for the installation of compressed natural gas vehicular  
9 fuel systems adopted by the National Fire Protection Association and  
10 published in its Pamphlet No. 52 shall be the accepted standards for  
11 this state. The accepted standards for this state for electric  
12 vehicle charge stations shall be the National Electric Code (NEC).  
13 ~~The Office of Management and Enterprise Services~~ Commissioner of  
14 Labor is authorized, and it shall be its duty to adopt and  
15 promulgate such rules or specifications relating to safety in the  
16 manufacture, assembly, sale, installation and use of vehicular  
17 alternative fuel systems. ~~The Office of Management and Enterprise~~  
18 ~~Services~~ Commissioner of Labor is further authorized to modify or  
19 amend such rules or specifications as it deems reasonable and  
20 necessary.

21 SECTION 7. AMENDATORY 74 O.S. 2011, Section 130.17, as  
22 amended by Section 828, Chapter 304, O.S.L. 2012 (74 O.S. Supp.  
23 2013, Section 130.17), is amended to read as follows:  
24

Section 130.17 A. 1. All applications for examination, certification or renewal of certification shall be made in writing to the ~~Office of Management and Enterprise Services~~ Department of Labor on forms provided, if necessary, by the ~~Office of Management and Enterprise Services~~ 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

1	Penalty for Late Certification Renewal:	
2	Alternative Fuels Equipment Technician Certificate	\$10.00
3	Alternative Fuels Compression Technician Certificate	\$10.00
4	Electric Vehicle Technician Certificate	\$10.00
5	Certificate fee if certified after March 1 of each year:	
6	Alternative Fuels Equipment Technician Certificate	\$25.00
7	Alternative Fuels Compression Technician Certificate	\$25.00
8	Electric Vehicle Technician Certificate	\$25.00
9	Certificate fee if certified after June 1 of each year:	
10	Alternative Fuels Equipment Technician Certificate	\$12.50
11	Alternative Fuels Compression Technician Certificate	\$12.50
12	Electric Vehicle Technician Certificate	\$12.50
13	Company, Partnership or Corporation Certificate	\$100.00
14	Annual Renewal for Company, Partnership or Corporation	
15	Certificate	\$100.00
16	Training Program Certification (one-time fee)	\$500.00
17	Alternative Fuels Installation Certification Per	
18	Location	\$1,000.00
19	Annual Renewal of Alternative Fuels Installation	
20	Certification Per Location	\$1,000.00

21 SECTION 8. AMENDATORY 74 O.S. 2011, Section 130.18, as  
22 amended by Section 829, Chapter 304, O.S.L. 2012 (74 O.S. Supp.  
23 2013, Section 130.18), is amended to read as follows:

24

1       Section 130.18   ~~The Office of Management and Enterprise Services~~  
2   Commissioner of Labor shall adopt rules and guidelines for the  
3   expiration of certificates for alternative fuels equipment  
4   technicians, alternative fuels compression technicians, and electric  
5   vehicle technicians, and for determining the recertification of  
6   alternative fuels equipment technicians, alternative fuels  
7   compression technicians, and electric vehicle technicians.

8       SECTION 9.       AMENDATORY       74 O.S. 2011, Section 130.19, as  
9   amended by Section 830, Chapter 304, O.S.L. 2012 (74 O.S. Supp.  
10 2013, Section 130.19), is amended to read as follows:

11       Section 130.19   A.   ~~A person or persons designated by the~~  
12   ~~Director of the Office of Management and Enterprise Services and The~~  
13   Commissioner of Labor or designee may suspend or revoke any license,  
14   certificate or registration for cause upon recommendation of the  
15   Committee ~~shall act as the~~ of Alternative Fuels Technician Hearing  
16   ~~Board~~ Examiners and shall comply with the provisions of the  
17   Administrative Procedures Act.

18       B.   The ~~Alternative Fuels Technician Hearing Board~~ Commissioner  
19   of Labor or designee may, upon ~~its own~~ the motion of the  
20   Commissioner or designee, and shall, upon written complaint filed by  
21   any person, investigate the business transactions of any certified  
22   alternative fuels equipment or compression technician, or electric  
23   vehicle technician.   The results of the investigation may be  
24   presented to the Committee and the Committee may recommend

1 suspension or revocation of the license, certificate or  
2 registration. The ~~Board~~ Commissioner of Labor or designee shall  
3 suspend or revoke any certificate or registration obtained by false  
4 or fraudulent representation. The ~~Board~~ Commissioner of Labor or  
5 designee shall also suspend or revoke any certificate or  
6 registration for any of the following:

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

10 2. Loaning or illegally using a certificate;

11 3. Demonstrating incompetence to act as an alternative fuels  
12 equipment technician, alternative fuels compression technician, or  
13 electric vehicle technician;

14 4. Violating any provisions of the Alternative Fuels Technician  
15 Certification Act, or any rule or order prescribed by the ~~Office of~~  
16 ~~Management and Enterprise Services~~ Department of Labor; or

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

19 Any person whose alternative fuels equipment technician  
20 certificate, alternative fuels compression technician certificate,  
21 or electric vehicle technician certificate has been revoked by the  
22 ~~Alternative Fuels Technician Hearing Board~~ Commissioner of Labor or  
23 designee may apply for a new certificate one (1) year from the date  
24 of such revocation.

1       SECTION 10.       AMENDATORY       74 O.S. 2011, Section 130.21, as  
2 amended by Section 831, Chapter 304, O.S.L. 2012 (74 O.S. Supp.  
3 2013, Section 130.21), is amended to read as follows:

4       Section 130.21 Any holder of a certificate or registration  
5 issued in accordance with the provisions of the Alternative Fuels  
6 Technician Certification Act shall promptly notify the ~~Office of~~  
7 ~~Management and Enterprise Services~~ Department of Labor of any change  
8 in such holder's address.

9       SECTION 11.       AMENDATORY       74 O.S. 2011, Section 130.22, as  
10 amended by Section 832, Chapter 304, O.S.L. 2012 (74 O.S. Supp.  
11 2013, Section 130.22), is amended to read as follows:

12       Section 130.22 All monies received by the ~~Office of Management~~  
13 ~~and Enterprise Services~~ Department of Labor under the Alternative  
14 Fuels Technician Certification Act shall be deposited with the State  
15 Treasurer and credited to the "Alternative Fuels Technician  
16 Certification Revolving Fund". The revolving fund shall be a  
17 continuing fund not subject to fiscal year limitations and shall be  
18 under the control and management of the ~~Office of Management and~~  
19 ~~Enterprise Services~~ Department of Labor. Expenditures from this  
20 fund shall be made pursuant to the purposes of the Alternative Fuels  
21 Technician Certification Act and shall include, but not be limited  
22 to, payment of operating costs, costs of programs designed to  
23 promote public awareness of the alternative fuels industry,  
24 expenditures for the preparation and printing of regulations,

1 bulletins or other documents and the furnishing of copies of the  
2 documents to those persons engaged in the alternative fuels industry  
3 or the public, and expenses the ~~Office~~ Department of Labor incurs to  
4 support program operations. Warrants for expenditures shall be  
5 drawn by the State Treasurer based on claims signed and approved for  
6 payment by the Director of the Office of Management and Enterprise  
7 Services.

8 SECTION 12. AMENDATORY 68 O.S. 2011, Section 2357.22, as  
9 last amended by Section 1, Chapter 252, O.S.L. 2013 (68 O.S. Supp.  
10 2013, Section 2357.22), is amended to read as follows:

11 Section 2357.22 A. For tax years beginning before January 1,  
12 2020, there shall be allowed a one-time credit against the income  
13 tax imposed by Section 2355 of this title for investments in  
14 qualified clean-burning motor vehicle fuel property placed in  
15 service after December 31, 1990.

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

18 1. Equipment installed to modify a motor vehicle which is  
19 propelled by gasoline or diesel fuel so that the vehicle may be  
20 propelled by a hydrogen fuel cell, compressed natural gas, liquefied  
21 natural gas or liquefied petroleum gas; provided, equipment  
22 installed on a vehicle propelled by a hydrogen fuel cell shall only  
23 be eligible for tax year 2010. The equipment covered by this  
24 paragraph must:

- a. be new, not previously used to modify or retrofit any vehicle propelled by gasoline or diesel fuel and be installed by an alternative fuels equipment technician who is certified in accordance with the Alternative Fuels Technician Certification Act,
- b. meet all Federal Motor Vehicle Safety Standards set forth in 49 CFR 571, or
- c. for any commercial motor vehicle (CMV), follow the Federal Motor Carrier Safety Regulations or Oklahoma Intrastate Motor Carrier Regulations;

2. A motor vehicle originally equipped so that the vehicle may be propelled by a hydrogen fuel cell, compressed natural gas, liquefied natural gas or liquefied petroleum gas 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. A motor vehicle originally equipped so that the vehicle may be propelled by a hydrogen fuel cell shall only be eligible for tax year 2010;

3. Property, not including a building and its structural components, which is:

- a. directly related to the delivery of compressed natural gas, liquefied natural gas or liquefied petroleum gas, or hydrogen, for commercial purposes or for a fee or

1 charge, into the fuel tank of a motor vehicle  
2 propelled by such fuel including compression equipment  
3 and storage tanks for such fuel at the point where  
4 such fuel is so delivered but only if such property is  
5 not used to deliver such fuel into any other type of  
6 storage tank or receptacle and such fuel is not used  
7 for any purpose other than to propel a motor vehicle,  
8 or

9 b. a metered-for-fee, public access recharging system for  
10 motor vehicles propelled in whole or in part by  
11 electricity. The property covered by this paragraph  
12 must be new, and must not have been previously  
13 installed or used to refuel vehicles powered by  
14 compressed natural gas, liquefied natural gas or  
15 liquefied petroleum gas, hydrogen or electricity.

16 Any property covered by this paragraph which is related to the  
17 delivery of hydrogen into the fuel tank of a motor vehicle shall  
18 only be eligible for tax year 2010; or

19 4. Property which is directly related to the compression and  
20 delivery of natural gas from a private home or residence, for  
21 noncommercial purposes, into the fuel tank of a motor vehicle  
22 propelled by compressed natural gas. The property covered by this  
23 paragraph must be new and must not have been previously installed or  
24 used to refuel vehicles powered by natural gas.

1 C. As used in this section, "motor vehicle" means a motor  
2 vehicle originally designed by the manufacturer to operate lawfully  
3 and principally on streets and highways.

4 D. The credit provided for in subsection A of this section  
5 shall be as follows:

6 1. For the qualified clean-burning motor vehicle fuel property  
7 defined in paragraph 1 or 2 of subsection B of this section, ~~fifty~~  
8 ~~percent (50%)~~ forty-five percent (45%) of the cost of the qualified  
9 clean-burning motor vehicle fuel property;

10 2. For qualified clean-burning motor vehicle fuel property  
11 defined in paragraph 3 of subsection B of this section, a per-  
12 location credit of seventy-five percent (75%) of the cost of the  
13 qualified clean-burning motor vehicle fuel property; and

14 3. For qualified clean-burning motor vehicle fuel property  
15 defined in paragraph 4 of subsection B of this section, a per-  
16 location credit of the lesser of fifty percent (50%) of the cost of  
17 the qualified clean-burning motor vehicle fuel property or Two  
18 Thousand Five Hundred Dollars (\$2,500.00).

19 E. In cases where no credit has been claimed pursuant to  
20 paragraph 1 of subsection D of this section by any prior owner and  
21 in which a motor vehicle is purchased by a taxpayer with qualified  
22 clean-burning motor vehicle fuel property installed by the  
23 manufacturer of such motor vehicle and the taxpayer is unable or  
24 elects not to determine the exact basis which is attributable to

1 such property, the taxpayer may claim a credit in an amount not  
2 exceeding the lesser of ten percent (10%) of the cost of the motor  
3 vehicle or One Thousand Five Hundred Dollars (\$1,500.00).

4 F. If the tax credit allowed pursuant to subsection A of this  
5 section exceeds the amount of income taxes due or if there are no  
6 state income taxes due on the income of the taxpayer, the amount of  
7 the credit not used as an offset against the income taxes of a  
8 taxable year may be carried forward as a credit against subsequent  
9 income tax liability for a period not to exceed five (5) years.

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

14 H. The Oklahoma Tax Commission is herein empowered to  
15 promulgate rules by which the purpose of this section shall be  
16 administered, including the power to establish and enforce penalties  
17 for violations thereof.

18 I. Notwithstanding the provisions of Section 2352 of this  
19 title, for the fiscal year beginning on July 1, 2014, and each  
20 fiscal year thereafter, the Oklahoma Tax Commission shall calculate  
21 an amount that equals five percent (5%) of the credit for qualified  
22 clean-burning motor vehicle fuel property as provided for in  
23 paragraph 1 of subsection D of this section. The Commission shall  
24 then transfer an amount equal to the amount calculated in this

1 subsection from the revenue derived pursuant to the provisions of  
2 subsections A, B and E of Section 2355 of this title to the  
3 Compressed Natural Gas Conversion Safety and Regulation Fund created  
4 in Section 13 of this act.

5       SECTION 13.       NEW LAW       A new section of law to be codified  
6 in the Oklahoma Statutes as Section 130.25 of Title 74, unless there  
7 is created a duplication in numbering, reads as follows:

8       A. There is hereby created in the State Treasury a revolving  
9 fund for the Department of Labor to be designated as the "Compressed  
10 Natural Gas Conversion Safety and Regulation Fund". The fund shall  
11 be a continuing fund, not subject to fiscal year limitations, and  
12 shall consist of all monies received by the Department of Labor  
13 pursuant to Section 2357.22 of Title 68 of the Oklahoma Statutes.

14       B. All monies accruing to the credit of the revolving fund  
15 shall be expended by the Department of Labor to inspect, regulate  
16 and enforce safety regulations of the conversion of motor vehicles  
17 for operation on compressed natural gas.

18       C. Expenditures from the revolving fund shall be made upon  
19 warrants issued by the State Treasurer against claims filed as  
20 prescribed by law with the Director of the Office of Management and  
21 Enterprise Services for approval and payment.

22       SECTION 14.       RECODIFICATION       52 O.S. 2011, Section 348, as  
23 amended by Section 2 of this act, shall be recodified as Section  
24

1 143.1 of Title 40 of the Oklahoma Statutes, unless there is created  
2 a duplication in numbering.

3 SECTION 15. RECODIFICATION 74 O.S. 2011, Section 130.11,  
4 as amended by Section 3 of this act, shall be recodified as Section  
5 142.2 of Title 40 of the Oklahoma Statutes, unless there is created  
6 a duplication in numbering.

7 SECTION 16. RECODIFICATION 74 O.S. 2011, Section 130.12,  
8 shall be recodified as Section 142.3 of Title 40 of the Oklahoma  
9 Statutes, unless there is created a duplication in numbering.

10 SECTION 17. RECODIFICATION 74 O.S. 2011, Section 130.13,  
11 shall be recodified as Section 142.4 of Title 40 of the Oklahoma  
12 Statutes, unless there is created a duplication in numbering.

13 SECTION 18. RECODIFICATION 74 O.S. 2011, Section 130.14,  
14 as last amended by Section 4 of this act, shall be recodified as  
15 Section 142.5 of Title 40 of the Oklahoma Statutes, unless there is  
16 created a duplication in numbering.

17 SECTION 19. RECODIFICATION 74 O.S. 2011, Section 130.15,  
18 as last amended by Section 5 of this act, shall be recodified as  
19 Section 142.6 of Title 40 of the Oklahoma Statutes, unless there is  
20 created a duplication in numbering.

21 SECTION 20. RECODIFICATION 74 O.S. 2011, Section 130.16,  
22 as last amended by Section 6 of this act, shall be recodified as  
23 Section 142.7 of Title 40 of the Oklahoma Statutes, unless there is  
24 created a duplication in numbering.

1       SECTION 21.       RECODIFICATION       74 O.S. 2011, Section 130.17,  
2 as last amended by Section 7 of this act, shall be recodified as  
3 Section 142.8 of Title 40 of the Oklahoma Statutes, unless there is  
4 created a duplication in numbering.

5       SECTION 22.       RECODIFICATION       74 O.S. 2011, Section 130.18,  
6 as last amended by Section 8 of this act, shall be recodified as  
7 Section 142.9 of Title 40 of the Oklahoma Statutes, unless there is  
8 created a duplication in numbering.

9       SECTION 23.       RECODIFICATION       74 O.S. 2011, Section 130.19,  
10 as last amended by Section 9 of this act, shall be recodified as  
11 Section 142.10 of Title 40 of the Oklahoma Statutes, unless there is  
12 created a duplication in numbering.

13       SECTION 24.       RECODIFICATION       74 O.S. 2011, Section 130.20,  
14 shall be recodified as Section 142.11 of Title 40 of the Oklahoma  
15 Statutes, unless there is created a duplication in numbering.

16       SECTION 25.       RECODIFICATION       74 O.S. 2011, Section 130.21,  
17 as last amended by Section 10 of this act, shall be recodified as  
18 Section 142.12 of Title 40 of the Oklahoma Statutes, unless there is  
19 created a duplication in numbering.

20       SECTION 26.       RECODIFICATION       74 O.S. 2011, Section 130.22,  
21 as last amended by Section 11 of this act, shall be recodified as  
22 Section 142.13 of Title 40 of the Oklahoma Statutes, unless there is  
23 created a duplication in numbering.

24

1       SECTION 27.       RECODIFICATION       74 O.S. 2011, Section 130.23,  
2 shall be recodified as Section 142.14 of Title 40 of the Oklahoma  
3 Statutes, unless there is created a duplication in numbering.

4       SECTION 28.       RECODIFICATION       74 O.S. 2011, Section 130.24,  
5 shall be recodified as Section 142.15 of Title 40 of the Oklahoma  
6 Statutes, unless there is created a duplication in numbering.

7       SECTION 29. This act shall become effective July 1, 2014.

8       SECTION 30. It being immediately necessary for the preservation  
9 of the public peace, health and safety, an emergency is hereby  
10 declared to exist, by reason whereof this act shall take effect and  
11 be in full force from and after its passage and approval.

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