State Alternative Fuel Technician Certification Programs

An examination of state level regulations governing the certification and licensing of alternative fuel technicians

Though alternative fuels are growing in popularity across the country, only a few states have taken steps to alleviate safety and quality concerns which have not been addressed at the federal level. Currently, five states have created programs to regulate the conversion of vehicles to alternative fuels: Louisiana, Mississippi, Texas, Oklahoma, and Utah. Existing regulations of alternative fuel conversions, technicians, and licensing processes falls largely into one of two camps. On one end of the spectrum are Oklahoma and Texas, two states bordering Arkansas that possess well-funded licensing programs with widespread industry support. Together, these states are the national standard for alternative fuel licensing programs in the country. Both states have boards that administer regular examination for prospective technicians, and require regular recertification to ensure technician proficiency. On the other end of the spectrum are Louisiana, Utah, and Mississippi, which do not make any substantive effort to certify alternative fuel technicians.

Arkansas Energy Office, 2015
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Introduction

In Arkansas, natural gas extraction is currently a major economic driver, with the Fayetteville Shale basin being one of the nation’s most productive extraction sites. Natural gas extraction is one of the few policy areas in which bipartisan legislative support exists in the state, with politicians of both parties citing the well-paying jobs that the industry can create. Act 532 of the 2013 legislative session, The Clean Burning Motor Fuel Act, provides funds for both CNG station and vehicle rebates in FY 2014. The Arkansas Energy Office (AEO) aided in the creation, revision, and implementation of these programs in fall 2013, and is now seeking to create parallel standards that will allow for efficient, safe expansion of CNG infrastructure in the state. As a subsidized and readily available fuel, CNG costs far less than the distilled petroleum typically used in internal combustion engines ("Natural gas benefits," 2014). As such, there is an economic imperative, at least in the near future, to develop regulatory procedures surrounding natural gas infrastructure in the state of Arkansas.

To this point, the only existing safeguards for CNG conversions in Arkansas come from the Environmental Protection Agency (EPA). A subject of contention over the past decade, recently adopted EPA rules have expanded the acceptable standards for the equipment used in the conversion process. It should be noted that California, as with many environmental regulations, enforces more stringent requirements for CNG conversion through its Air Resources Board (CARB). As a result, all CNG conversions across the country must be certified by either the EPA or CARB. Servicers who perform aftermarket conversions on light-duty passenger vehicles are required to display proof of EPA certification on premises and renew this certification on a yearly basis (NGV America, 2014); however, with a limited budget, enforcement of these regulations by the EPA is nearly impossible. Further, these standards do nothing to assess the safety of the actual installation of CNG systems into vehicles, which is of paramount importance in real-world applications. In such an environment, it is possible for individuals to claim to be certified for CNG conversions in the state merely by purchasing EPA-approved conversion systems from an outside supplier.

This is an oversight that Arkansas Clean Cities Coalition (ACCC) would like to rectify, giving legitimacy to those already performing natural gas conversions at an acceptable standard while protecting consumers from unsafe, unreliable, or otherwise unacceptable CNG conversions. The creation of standards and a licensing process for CNG conversions will not just create an economic boon for distributors and consumers; the technicians that will complete the licensing program at various technical colleges across the state will be acquiring a new, somewhat rare, marketable skill.

Issues of safety and improved air quality also factor into this proposed legislation. Due to the aforementioned low cost of CNG, consumers across the state are buying conversion kits for their vehicles and installing the kits themselves at home. In the eyes of the ACCC, this represents a safety risk, given the volatility and extremely high pressures at which CNG must be stored in the vehicle. The creation of a state-approved licensing program might not entirely eliminate these home conversions, but would lend credence to technicians completing a certified course at a partnering institution.

Also important to note are the emission reductions that CNG-fueled vehicles can provide when they are EPA certified and installed by an Original Equipment Manufacturer or a qualified
installer. Particulate emissions (those emissions that create smog) are almost entirely negated in CNG-fueled vehicles. Greenhouse gas emissions can be reduced by 10-30%, as CNG fuels expel methane rather than carbon dioxide (“Natural gas benefits,” 2014). The use of renewable natural gas from biomass and landfills can reduce greenhouse gas emissions by up to 90% (“Renewable natural gas,” 2014). Biomass gas extraction is a relatively new technology in Arkansas, but the City of Fort Smith already captures methane from its landfill to power its fleet of garbage trucks, and other cities around the state are investigating their own capabilities to do the same (City of Smith, 2014).

Alternative Fuel Industry in Arkansas

The ACCC is tasked with the responsibility to facilitate educated adoption of alternative vehicle technologies and works to ensure education and support for these technologies are available to all consumers. Arkansas is now beginning to rapidly develop CNG fueling infrastructure. There are presently 12 publicly-accessible CNG stations in Arkansas, with ACCC grants aiding in the development of four of these stations (Arkansas Energy Office, 2012). As alternative fuel vehicles, especially CNG, are added into the transportation stream, ACCC must make certain that Arkansans can safely convert and maintain these types of vehicles.

Currently, it can be a challenge to find technicians with necessary skills to work on alternative fuel vehicles in Arkansas, but steps are being taken to ensure this will no longer be the case. Pulaski Technical College in Little Rock has recently added a CNG Technician program to its automotive coursework, and is in the process of making it a required course instead of an elective.

CNG vehicles store natural gas in high pressure fuel cylinders at 3,000 to 3,600 pounds per square inch (PSI), far above the standard atmospheric pressure of 14.7 PSI at which standard gasoline is stored (NGV America, “Fuel Storage,” 2013). Thus, conversions of CNG vehicles by untrained individuals can present severe safety concerns to both the vehicle operator and other motorists. ACCC feels it is imperative to develop codes and standards to implement this technology in a manner that protects the health and safety of the citizens of Arkansas.

In 2012, the Arkansas Office of State Procurement surveyed automobile dealerships regarding the need for technical training courses and licensing certification in the service/repair and installation of aftermarket alternative fuel conversion kits, as well as dedicated alternative fuel vehicles (Arkansas Clean Cities Coalition, 2014). Thirteen out of the fifteen responding dealerships indicated that if programming was offered in Arkansas, they would send up to thirty-five total technicians to be trained and licensed (Arkansas Clean Cities Coalition, 2014). Though this represents a small sample size, such strong feedback in favor of alternative fuel codes and standards from relevant parties around the state indicates a clear and pressing need for action.

Overview and Comparison of State Level Alternative Fuel Regulations

Alternative fuels are growing in popularity across the country, but only a few states have implemented regulations to address safety and quality concerns arising from the gap between federal regulation and local enforcement. Following is a summary and comparison of rules and regulations enacted at the state level to address regulations surrounding both the systems being used and technicians installing these systems in vehicles.
Regulation of CNG vehicle conversions at the federal level is administered by the EPA, which solely concerned with the emissions of CNG conversions. As all vehicles sold in the United States are required to be compliant with the Clean Air Act, the EPA has created standards for the systems used in aftermarket alternative fuel conversions. These rules, finalized in 2011 under subpart F of Title 40 of the Code of Federal Regulations, modify preexisting regulations which flatly prohibited altering a vehicle from its original configuration while also treating conversions differently based on the age of the vehicle or engine being converted. Under these rules, vehicles with conversion systems produced in the last two calendar years must demonstrate compliance with existing Clean Air Act standards for exhaust and evaporative emissions. Vehicles older than two years are exempted from these rules and conversion manufacturers must merely submit paperwork showing the system to be technically sound. The EPA’s stated reason for this rule change was to enable broader transportation fuel choices for consumers ("EPA announces final," 2012, pp. 1-4).

The overwhelming majority of states follow the EPA guidelines for aftermarket CNG conversion systems, with 38 states accepting the EPA standards and 12 states on the Pacific coast and in the Northeast adhering to the more stringent emission standards put forth by CARB (NGV America, “Certification requirements,” 2013). Five states have gone further, and regulate the conversion of vehicles to CNG. These states, Mississippi, Utah, Louisiana, Texas, and Oklahoma, all have made changes to their State Codes that complement the EPA standards set in Title 40 of the Code of Federal Regulations. Four of these states border Arkansas, putting Arkansas well behind its regional counterparts on this issue.

Mississippi mandates that either propane or CNG alternative fuel technicians who charge a fee for their work must be certified through the state’s Liquefied Compressed Gas Board; however, there are no mandatory or testing or proficiency requirements for Mississippi alternative fuel technicians (“Instructions for completing,” 2012). Instead, technicians may petition the board to take a voluntary proficiency examination in CNG or propane to become a permanent qualified installer in the state (“Installation of systems”, 2014).

The Mississippi Liquefied Compressed Gas Board must be notified of any and all conversions in the state, and it reserves the right to inspect any system as necessary (“Installation of systems,” 2014). The certification application requires that CNG and propane system installers must provide proof of possessing at least $1,000,000 in liability insurance (“Instructions for completing,” 2012). Applicants must also demonstrate familiarity with the state fire marshal’s regulations and provide some sort of evidence of qualified training in aftermarket CNG conversions ("Instructions for completing," 2012). The nature of the training is not specified, and is considered on a case-by-case basis (Installation of systems, 2014).

Louisiana minimally regulates the safety of CNG and propane vehicle conversions through the Liquefied Petroleum Gas Commission. In 1990, the Commission was granted the authority to regulate and inspect all vehicles powered by propane or CNG (Regulation of Compressed Natural Gas, 1990); however, the Commission merely requires notification of propane conversions and has made no further moves to license alternative fuel technicians in the state (Regulation of Compressed Natural Gas, 2014).

Utah’s Division of Air Quality has developed regulations for aftermarket CNG conversions that systems must be certified not only by the EPA but also the Canadian Standards Association (CSA), which has more stringent emissions standards. Converted vehicles must be inspected by a CSA-certified CNG Fuel System inspector every three years or 36,000 miles (Retrofit
Natural Gas, 2014). The Utah Division of Air Quality also reserves the right to develop further emissions- and safety-based programs concerning aftermarket vehicle conversions in the future, which provides interesting possibilities for proficiency testing in Utah for alternative fuel technicians (Alternative Fuel Vehicle Inspection, 2014).

Texas and Oklahoma are the two states in which alternative fuel licensure programs have developed most fully, as both states possess public alternative fueling infrastructure not seen elsewhere in the nation. In Texas, Chapter 116 of the Natural Resources Code gives authority for a licensing and registration program to the Railroad Commission of Texas. Section 116.031 of the code mandates that a person obtain a license from the commission if they engage in work that includes the sale, installation, modification, or servicing of compressed natural gas, liquid natural gas, motor systems (Texas Natural Resources Code, 2014). Additionally, Section 116.013 of the code gives the Railroad Commission of Texas the authority to adopt the published codes of nationally recognized societies as standards for any licensure program (Texas Natural Resources Code, 2014). These societies include the National Institute for Automotive Service Excellence (ASE), National Automotive Technicians Education Foundation (NATEF), National Fire Protection Association (NFPA), and Society of Automotive Engineers (SAE) (Texas Natural Resources Code, 2014). Additionally, trade organizations including the National Alternative Fuels Training Consortium (NAFTC) based out of West Virginia University, and the Natural Gas Vehicle Institute (NGVi) have a long history of collaborating with state and federal government partners as well as private companies to train alternative fuel technicians. All of these associations work in concert with one another. Guidelines set by the National Fire Protection Association (NFPA), including NFPA 52 and 58, are often the industry and government standard for vehicular gaseous fuel system safety (NFPA, 2013). The certifications issued by ASE and SAE together provide credentials for hundreds of thousands of conventional and alternative fuel technicians around the world, while NAFTC and NGVi are rapidly building partnerships with manufacturers of alternative fuel vehicles and fueling systems. While each organization possesses proprietary domain over their training materials, their acceptance as the standard for automotive technician competency by the automotive industry cannot be dismissed. As such, any alternative fuels licensure program in Arkansas would be well advised to at least give itself the option of utilizing this existing training and code infrastructure with its public-private partnerships and adhering to these national standards as does Texas.

Texas’s requirements for the installation and servicing of CNG systems on vehicles vary somewhat from Mississippi’s, as potential installers must only demonstrate proof of $300,000 in liability insurance (Regulations for Compressed Natural Gas, 2014). Applicants must also submit proof of business incorporation from the Texas Secretary of State. Further, installers and repair technicians of CNG systems on vehicles must be re-licensed on an annual basis, with an initial fee of $300 and $150 per year after that (Regulations for Compressed Natural Gas, 2014). Texas also reserves the right to inspect any CNG conversion as deemed necessary (Texas Natural Resources Code, 2014).

Texas has an additional requirement for alternative fuel technician licensing that sets it apart every other state in the country except Oklahoma. Tests are required of technicians seeking to perform CNG and propane fuel system conversions and maintenance in Texas (Regulations for Compressed Natural Gas, 2014). Testing material is based on curriculum with a heavy influence from NFPA guidelines (Texas Natural Resources Code, 2014). Examinations are open book and
have a two hour time limit. Seventy-five percent proficiency constitutes a passing grade to qualify for a license, and licenses must be renewed on an annual basis by retaking the test (Regulations for Compressed Natural Gas, 2014).

Oklahoma maintains the most comprehensive body of legislation on aftermarket CNG conversions in the nation, beginning with the 1991 Alternative Fuels Technician Certification Act and continuing through subsequent updates. The Act states “the intent of the state legislature to develop curriculum for the training of technicians for the installation and conversion of engines fueled by alternative fuels as the technologies developed.”. The Act established a committee of examiners, bringing together experts in various alternative fuels. The committee, made up of eight such persons, was until recently managed by the Oklahoma Office of Management and Enterprise Services (OMES) and was tasked with creating original testing materials for technicians wishing to become certified in the installation of alternative fuel systems in Oklahoma. The Oklahoma Corporation Commission (OCC) and the Oklahoma Department of Labor (ODOL) also had some oversight of the industry. In 2014, Oklahoma House Bill 3297 was enacted by the legislature and moved all of this responsibility to the Department of Labor due to their staff of enforcement officers and a long history of inspecting pressure vessels similar to CNG storage tanks, for other industries. The goal of this legislation was to streamline and coordinate oversight of the alternative fuels industry.

In 2015, HB 1728 was passed to update and added clarity to the state statutes ODOL was tasked with upholding. The 2015 legislation also changed Oklahoma’s insurance requirements and application fees, with a minimum requirement of $1,000,000 in liability insurance and a yearly fee of $50 for recertification. The examination requirements are more inclusive of all alternative fuel technicians than Texas, with certifications available for CNG, Liquefied Petroleum Gas (LPG), Liquefied Natural Gas (LNG), and electric vehicles (EVs). Certifications are also required for compression technicians, with separate testing and licensing requirements for persons and companies who build and maintain alternative fueling stations. HB 1728 also created a trainee license, allowing trainees to gain hands-on experience by performing work under the direct supervision of a certified technician. A full summary of Oklahoma’s licensure requirements are included in Appendix II.

Conclusions

An agency as resource- and manpower-limited as AEO is simply not equipped to handle a licensure program of the scale or complexity of those in Oklahoma and Texas, and ACCC has no legal authority to manage such a program by itself. Both the Railroad Commission of Texas and the Oklahoma Department of Labor are large government agencies, far larger than the two staff members focusing on transportation policy at AEO. Nevertheless, ACCC feels that the other states with fledgling alternative fuel conversion safety programs provide insufficient programming to fully address the issue. This project represents a great opportunity for Arkansas to use the existing body of knowledge regarding alternative fuel technician licensure programs to its advantage.

Given this opportunity, any proposed legislation should consider addressing all alternative fuels, and not limit safety regulation to compressed natural gas conversions. As a result, this program proposal looks to the licensing program in Oklahoma, which is inclusive of all alternative fuel conversions. We are quite hopeful that Arkansas may be able to emulate Oklahoma and Texas with regard to proficiency testing in the future.
References


Hofman, F. (2014, April 2). Interview by Chet Howland [Personal Interview].


Appendix I: Alternative Fuel Conversion Installation and Servicing Regulations by State

Louisiana

**Licensing Authority:** The Louisiana Liquefied Petroleum Gas Commission has the authority to regulate all activities related to the safety of compressed natural gas and possesses the authority to establish minimum safety standards for compressed natural gas compression and conversion equipment including the installation and operation of such equipment; however, no such regulations exist at this time.

**License Requirements:** No licensing program currently exists for the state of Louisiana

**Fees:** None.

**Conversion Kit Requirements:** None, beyond EPA certification under 40 C.F.R. Part 85 Subpart F and 40 C.F.R. Part 86

**Conversion Inspections:** For vehicles equipped for and capable of using liquefied petroleum gas, each vehicle shall first be inspected for safety of operation by an inspector of the Louisiana Liquefied Petroleum Gas Commission.

**Insurance Requirements:** General liability insurance needed for alternative fuel technicians, but no minimum required.

**Source:** Louisiana Revised Statutes § 30:732 (1990)

Mississippi

**Licensing Authority:** Mississippi Insurance Department licenses CNG, and LPG vehicle conversions through the State Liquefied Compressed Gas Board, which is made up of six gas industry professionals appointed by the Commissioner of Insurance.

**License Requirements:** No requirements beyond submission of application and proof of insurance. Alternative fuel technicians are encouraged to provide some sort of evidence of qualified training, though no specific training is mandated. Any technician may take an examination provided by the State Liquefied Compressed Gas Board to qualify as an “installer” of liquefied compressed gas equipment. This examination permanently certifies the applicant as an installer upon successful completion, and mitigates the conversion inspection regulation.

**Fees:** None for applicants. Persons operating a converted vehicle must pay a Privilege Tax of $195 annually.

**Conversion Kit Requirements:** None, beyond EPA certification under 40 C.F.R. Part 85 Subpart F and 40 C.F.R. Part 86

**Conversion Inspections:** Commissioner of Insurance and State Liquefied Compressed Gas Board reserve the right to inspect any vehicle conversion.
Insurance Requirements: Minimum of $1,000,000 in general liability.


**Oklahoma**

Licensing Authority: Oklahoma Department of Labor, Alternative Fuels Division

License Requirements: All technician applicants are required to be employed by a licensed alternative fuels company before the technician’s license can be issued. A minimum score of eighty percent (80%) correct shall be a passing grade for all examinations. Separate license endorsements are required for each fuel type, including CNG, LPG, EV, and LNG. Technicians can alternately apply for a trainee certificate. Trainee certificates are to be renewed annually. An alternative fuels trainee shall be employed by a licensed Oklahoma alternative fuels conversion company and work under the direct supervision of a licensed alternative fuels equipment technician. There shall be no more than two trainees per licensed alternative fuels equipment technician at any licensed Oklahoma alternative fuels conversion company.

Separate licenses are required for persons building and maintaining alternative fueling stations, and each alternative fuel has a separate certification:

- Compressed natural gas compression technician;
- Liquefied natural gas compression technician;
- Liquefied petroleum gas compression technician;
- Electric vehicle charge station technician;
- Hydrogen compression technician; and
- Liquid alternative fuels, not derived from natural gas, compression technician.

Fees: $50 for test. Annual fee of $50.00 will be charged for each fuel endorsement

Conversion Kit Requirements: None, beyond EPA certification under 40 C.F.R. Part 85 Subpart F and 40 C.F.R. Part 86

Conversion Inspections: Systems must be inspected and a damage report filed after impacts of greater than 5 MPH. Tanks should be inspected every three years.

Insurance Requirements: Minimum of $1,000,000 in general liability for companies converting vehicles to alternative fuels. Individual technicians are no longer required to provide proof of insurance.


**Texas**

Licensing Authority: Railroad Commission of Texas, headed by three elected commissioners serving six year terms. Railroad Commission has over 1,000 employees and an annual operating budget in the hundreds of millions of dollars. Tests required of technicians seeking to perform
CNG, LNG, and LPG conversions and maintenance in Texas. Tests are available on walk-in basis at Texas RRC headquarters or may be scheduled throughout the state. Testing material based off of curriculum developed by Texas RRC, with a heavy influence from national codes and standards such as NFPA

**License Requirements:** Licenses only required for technicians performing CNG, LNG, and LPG conversions. Examinations are open book and have a two hour time limit. 75% proficiency constitutes a passing grade to qualify for a license. Licenses are non-transferable, and must be renewed on an annual basis by retaking test.

**Fees:** Original License fee is $300, renewal fee is $150 on an annual basis. Testing fees are $70 for managers of alternative fuel conversion entities, $40 for alternative fuel technicians.

**Conversion Kit Requirements:** None, beyond EPA certification under 40 C.F.R. Part 85 Subpart F and 40 C.F.R. Part 86

**Conversion Inspections:** Incidents on converted vehicles must be reported to the Texas RRC within 14 days of occurrence. In order to pass the state vehicle inspection, a CNG-converted vehicle owner must be able to provide proof that the fuel cylinder on the vehicle has met inspection requirements and falls within the manufacturer's recommended service life.

**Insurance Requirements:** Minimum of $300,000 in general liability. Self-insurance permitted.

**Source:** Texas Administrative Code § 16-1-13-C (2014), Texas Transportation Code § 538-104

**Utah**

**Licensing Authority:** Utah State Tax Commission has the authority to require vehicles operating on alternative fuels to be inspected for safety. Alternative fuels in Utah are defined as LPG, CNG, LNG, and EV.

**License Requirements:** No license needed for alternative fuel technicians; however, all vehicles converted to CNG in Utah must be reported for inspection.

**Fees:** None.

**Conversion Kit Requirements:** None, beyond EPA certification under 40 C.F.R. Part 85 Subpart F and 40 C.F.R. Part 86

**Conversion Inspections:** All vehicles converted to CNG in Utah inspected and certified by a Canadian Standards Association CNG Fuel System Inspector. Inspections must be repeated after three years or 36,000 miles, or after collisions at a speed greater than five miles per hour.

**Insurance Requirements:** No insurance requirements for alternative fuel technicians.

Appendix II: Summary of Alternative Fuels Legislation in Oklahoma

Oklahoma enacted the Alternative Fuels Conversion Act and the Alternative Fuels Technician Certification Act in 1991, but there were many gaps discovered in 2012 regarding actual enforcement of legislative directive, oversight and certification processes. Further complicating the matter were multiple federal regulations in place requiring detailed review to determine best solution for processes required in Oklahoma for alternative fuels market.

Oklahoma’s alternative fuel technician licensure and certification programs created by the legislature in 1991 were the first and only in the United States for many years. As the alternative fuel industry grew, structural gaps became increasingly apparent. The most significant issues were records of certified technicians were not made publicly available, and there was little to no enforcement of the regulations. Further, despite three different state agencies involved in administering different portions of the regulations and a growing CNG infrastructure across the state, no state inspections were made on CNG infrastructure installation and maintenance, and local regulations and code enforcement varied. A series of legislative steps were taken beginning in 2013 to address the gaps in oversight, enforcement, and to provide a single point of contact for businesses and individuals in the alternative fuel industry.

**Oklahoma Statute 74-130 (July 1991)**
The “Oklahoma Alternative Fuels Conversion Act and the Alternative Fuels Technician Certification Act” was enacted by the State designating the Oklahoma Corporation Commission as authorized agency. The Alternative Fuels Technician Act regulates the training testing and certification of technicians who install modify, repair or renovate equipment used in alternative fueling infrastructure and in the conversion of any engine to operate on an alternative fuel.

**Oklahoma House Bill 1718 (March 2013)**
The Act authorizes the Oklahoma Corporation Commission to inspect compressed natural gas fueling stations or pumps; allowing the Commission to promulgate rules; amending 68 O.S. 2011, Section 2357.22, which relates to credit for investments in qualified clean-burning motor fuel vehicle property; requiring a conversion of motor fuel vehicle property to be done by a certified technician, providing for codification and declaring an emergency.

**Oklahoma House Bill 3297 (May 2014)**
The Act moved all administration and operations relating to compressed natural gas fueling stations, natural gas fueling stations, and the Alternative Fuels Technician Certification Act to the authority of the Department of Labor. In addition, it established the “Compressed Natural Gas Conversion Safety and Regulation Fund”, and required all funds accrued to the credit of the Fund to be expended by the Department of Labor to inspect, regulate, and enforce safety regulations of the conversion of motor vehicles for operation on compressed natural gas, for the first time creating an enforcement mechanism for these rules funded by a reduction of the one-time tax credit against an individual for investments in qualified clean-burning motor vehicle fuel property from 50 percent to 45 percent. It also requires the Tax Commission to calculate an amount that equals 5 percent of the cost of qualified clean-burning motor vehicle fuel property each fiscal year, and requires the Commission to transfer that amount to the Compressed Natural Gas Conversion Safety and Regulation Fund.
Oklahoma House Bill 1728 (April 2015)
Modified the Oklahoma Administrative Code (OAC) 380:80 Alternative Fuels Rules: OAC 380:80 to address the certification requirements applicable to the qualification and certification of alternative fuel vehicle conversion technicians, electric vehicle conversion technicians, and alternative fuel compression technicians; provide for the certification of alternative fuel companies; provide for the inspection of alternative fuel fill stations; identify national standards applicable to alternative fuel vehicle conversions; provide definitions; establish program administrative procedures; and provide for program enforcement.
# Appendix III: Oklahoma Department of Labor Alternative Fuels Equipment Technician Form

**Oklahoma Alternative Fuels Equipment Technician Application**  
Oklahoma Alternative Fuels Program  
www.labor.ok.gov

Oklahoma Department of Labor  
3017 N. Stiles, Suite 100  
Oklahoma City, OK 73105  
405-521-6100/888-269-5353  
M-F 8:00am-4:30pm

Melissa McLawhorn Houston, Commissioner

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**REQUIRED DOCUMENTATION FOR NEW APPLICANTS**

**U.S. CITIZENS:**
- Affidavit of Lawful Presence, signed
- A valid, unexpired Driver's License OR state issued Photo-identification card OR Military ID AND
- Birth certificate OR Social Security Card OR A valid, unexpired passport OR a W-2 from a current employer
- Passing score from state approved school/apprenticeship training program for written exam and skills test

**NON-U.S. CITIZENS:**
- Previously mentioned documents **AND**
- Verification of immigration status

All new applicants must appear IN PERSON at the Oklahoma Department of Labor or approved facility.

"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." A copy of this permit must be submitted.

The undersigned applicant hereby makes application for renewal of an Alternative Fuels License to engage in installing, servicing, repairing, modifying, or renovating equipment used in the conversion of engines fueled by alternative fuels.

Please identify fuel system work to be performed:
- CNG
- LNG
- LPG
- EV
- Other

**APPLICANT INFORMATION**

- Name:  
- Social Security Number:  
- Date of Birth:  
- Mailing Address:  
- City:  
- State:  
- Zip Code:  
- Phone #:  
- E-mail Address:  

**EMPLOYER INFORMATION (REQUIRED)**

- Company:  
- Company License #:  
- Company Address:  
- Company Phone #:  
- City:  
- State:  
- Zip Code:  

**MANAGER/OWNER SIGNATURE – REQUIRED**

**MILITARY STATUS**

Within the past six (6) months, have you been honorably discharged from the Armed Forces of the United States, or transferred from another state to Oklahoma?  
- Yes  
- No  

If yes, provide date of discharge/transfer:  

Are you a spouse of an active duty member of the Armed Forces of the United States?  
- Yes  
- No

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I certify that this information is true and correct. Any false or fraudulent statement shall be cause for suspension or revocation of the certification held.

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For Office Use Only

The Department of Labor will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability or political beliefs. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.

**Date:**  
**Lic #:**  
**Receipt #:**  

**Initials:**  
**Check/Cash:**  
**Amount:**
Appendix IV: Oklahoma House Bill Number 1728

SUBJECT: Alternative fuels

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

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

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

B. The Department of 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 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 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. 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.