

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 HOUSE BILL 2622

By: Osborn

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5
6 AS INTRODUCED

7 An Act relating to alternative fuels; amending 74
8 O.S. 2011, Sections 130.14, as renumbered by Section
9 18, Chapter 328, O.S.L. 2014 and as last amended by
10 Section 2, Chapter 181, O.S.L. 2015, 130.16, as
11 renumbered by Section 20, Chapter 328, O.S.L. 2014
12 and as last amended by Section 4, Chapter 181, O.S.L.
13 2015 and 130.17, as renumbered by Section 21, Chapter
14 328, O.S.L. 2014 and as last amended by Section 5,
15 Chapter 181, O.S.L. 2015 (40 O.S. Supp. 2015,
16 Sections 142.6, 142.8 and 142.9), which relate to the
17 Alternative Fuels Technician Certification Act;
18 changing selection criteria for certain member of the
19 Committee of Alternative Fuels Technician Examiners;
20 modifying duties of certain officer to the Committee;
21 authorizing the Department of Labor to issue an
22 alternative fuels compression trainee certificate;
23 limiting employment of a trainee; requiring trainee
24 to work under the direct supervision of a certain
technician; limiting the number of trainees working
with a technician or on a job site; allowing a
trainee to engage in certain licensed categories
under certain conditions; adding fee for certain
certificate and certificate renewal; modifying fee
for annual renewal of certain certification; and
declaring an emergency.

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

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

1 amended by Section 2, Chapter 181, O.S.L. 2015 (40 O.S. Supp. 2015,
2 Section 142.6), is amended to read as follows:

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

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

9 1. Three members shall be alternative fuels technicians
10 selected from a list of names submitted by the State Board of Career
11 and Technology Education, with at least one member being an
12 alternative fuels equipment technician and at least one member being
13 an alternative fuels compression technician;

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

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

18 C. Two additional voting members shall be appointed by the
19 Commissioner of Labor, one of whom shall be ~~selected from a list of~~
20 ~~names submitted by the State Board of Career and Technology~~
21 ~~Education and shall be~~ an electric vehicle technician, and one of
22 whom shall be a person involved in manufacturing, conversion, or
23 research in the electric vehicle industry.

24

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

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

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

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

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

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

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

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

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

1 The nonvoting member shall be designated by the Commissioner of
2 Labor to serve as ~~Program Administrator~~ and Recording Secretary to
3 the Committee.

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

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

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

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

3 SECTION 2. AMENDATORY 74 O.S. 2011, Section 130.16, as
4 renumbered by Section 20, Chapter 328, O.S.L. 2014 and as last
5 amended by Section 4, Chapter 181, O.S.L. 2015 (40 O.S. Supp. 2015,
6 Section 142.8), is amended to read as follows:

7 Section 142.8 A. The Department of Labor shall issue a
8 certificate as an alternative fuels equipment technician to any
9 person who:

10 1. Has been licensed by the Oklahoma Liquefied Petroleum Gas
11 Board and has successfully passed the appropriate examination as
12 provided in the Alternative Fuels Technician Certification Act or
13 has been certified by the Committee as either having successfully
14 passed the appropriate examination or having a valid license or
15 certificate issued by another governmental entity with licensing or
16 certification requirements similar to those provided in the
17 Alternative Fuels Technician Certification Act; and

18 2. Has paid the certification fee and otherwise complied with
19 the provisions of the Alternative Fuels Technician Certification
20 Act.

21 B. The Department of Labor shall issue a certificate as an
22 alternative fuels compression technician to any person who:

23 1. Has successfully passed the appropriate examination as
24 provided in the Alternative Fuels Technician Certification Act or

1 has been certified by the Committee as having a valid license or
2 certificate issued by another governmental entity with licensing or
3 certification requirements similar to those provided in the
4 Alternative Fuels Technician Certification Act; and

5 2. Has paid the certification fee and otherwise complied with
6 the provisions of the Alternative Fuels Technician Certification
7 Act.

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

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

15 2. Has paid the certification fee and otherwise complied with
16 the provisions of the Alternative Fuels Technician Certification
17 Act.

18 D. In the case of a company, partnership or corporation engaged
19 in the business of installing, servicing, repairing, modifying or
20 renovating equipment used in the conversion of engines to engines
21 fueled by alternative fuels, a separate certificate shall be issued
22 by the Department of Labor to that individual company, partnership
23 or corporation. This certificate is for the express purpose of
24 recognizing that the company, partnership or corporation is an

1 authorized alternative fuels conversion business and employs state-
2 certified alternative fuels equipment technicians. Any violations
3 by a certified alternative fuels equipment technician shall be
4 deemed a violation by the certified company, partnership or
5 corporation employing such certified technician. A company,
6 partnership or corporation engaged in the business of installing,
7 servicing, repairing, modifying or renovating equipment used in the
8 conversion of engines to engines fueled by alternative fuels shall
9 provide the Department of Labor with proof of liability insurance
10 with limits of not less than One Million Dollars (\$1,000,000.00)
11 general liability.

12 E. In the case of a company, partnership or corporation engaged
13 in the business of installing, servicing, repairing, modifying or
14 renovating fill stations, a separate certificate shall be issued by
15 the Department of Labor to that individual company, partnership or
16 corporation. This certificate is for the express purpose of
17 recognizing that the company, partnership or corporation is an
18 authorized fill_station installation business and employs state-
19 certified alternative fuels compression technicians or electric
20 vehicle technicians. Any violations by a certified alternative
21 fuels compression technician or electric vehicle technician shall be
22 deemed a violation by the certified company, partnership or
23 corporation employing such certified technician. A company,
24 partnership or corporation engaged in the business of installing,

1 servicing, repairing, modifying or renovating fill stations shall
2 provide the Department of Labor with proof of liability insurance
3 with limits of not less than One Million Dollars (\$1,000,000.00)
4 general liability.

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

16 G. All alternative fuels equipment technician certificates,
17 alternative fuels compression technician certificates, and electric
18 vehicle technician certificates shall be nontransferable and it
19 shall be unlawful for any person certified pursuant to the
20 provisions of the Alternative Fuels Technician Certification Act to
21 loan or allow the use of such certificate by any other person,
22 except as specifically provided in the Alternative Fuels Technician
23 Certification Act.

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1 H. The standards for the storage and handling of liquefied
2 petroleum gases in the codes adopted by the Oklahoma Uniform
3 Building Code Commission pursuant to the Oklahoma Uniform Building
4 Code Act shall be the accepted codes and standards for this state.
5 The standards for the installation of compressed natural gas
6 vehicular fuel systems adopted by the National Fire Protection
7 Association and published in its Pamphlet No. 52 shall be the
8 accepted standards for this state. The accepted standards for this
9 state for electric vehicle charge stations shall be the codes
10 adopted by the Oklahoma Uniform Building Code Commission. The
11 standards for the design, construction, installation, repair, use
12 and inspection of alternative fuel fueling stations, including
13 residential fueling appliances and facilities, in the codes adopted
14 by the Oklahoma Uniform Building Code Commission pursuant to the
15 Oklahoma Uniform Building Code Commission Act shall be the accepted
16 codes and standards for this state. The Commissioner of Labor is
17 authorized, and it shall be the duty of the Commissioner to adopt
18 and promulgate such rules or specifications relating to safety in
19 the manufacture, assembly, sale, installation and use of vehicular
20 alternative fuel systems. The Commissioner of Labor is further
21 authorized to modify or amend such rules or specifications as he or
22 she deems reasonable and necessary.

23 I. The Department of Labor may issue an alternative fuels
24 trainee certificate to any person who submits a trainee application

1 to the Department within fifteen (15) business days of being hired
2 by a licensed alternative fuels conversion company. An alternative
3 fuels trainee shall be employed by a licensed alternative fuels
4 conversion company located in Oklahoma. A trainee shall work under
5 the direct supervision of a licensed alternative fuels equipment
6 technician. There shall be no more than two alternative fuels
7 trainees per licensed alternative fuels equipment technician at any
8 licensed Oklahoma alternative fuels conversion company at any one
9 time. An individual that holds a trainee license may engage in any
10 licensed category pursuant to the Alternative Fuels Technician
11 Certification Act while under the direct supervision of an
12 individual holding the appropriate license in the category of
13 activity being performed.

14 J. The Department of Labor may issue an alternative fuels
15 compression trainee certificate to any person who submits a trainee
16 application to the Department within fifteen (15) business days of
17 being hired by a licensed alternative fuels fill-station
18 installation business. An alternative fuels compression trainee
19 shall be employed by a licensed alternative fuels fill-station
20 installation business located in Oklahoma. A trainee shall work
21 under the direct supervision of a licensed alternative fuels
22 compression technician. There shall be no more than two alternative
23 fuels compression trainees per licensed alternative fuels
24 compression technician at any licensed Oklahoma alternative fuels

1 fill-station installation business or the job site or sites of any
2 such alternative fuels fill-station installation business at any one
3 time. An individual that holds a trainee license may engage in any
4 licensed category pursuant to the Alternative Fuels Technician
5 Certification Act while under the direct supervision of an
6 individual holding the appropriate license in the category of
7 activity being performed.

8 SECTION 3. AMENDATORY 74 O.S. 2011, Section 130.17, as
9 renumbered by Section 21, Chapter 328, O.S.L. 2014 and as last
10 amended by Section 5, Chapter 181, O.S.L. 2015 (40 O.S. Supp. 2015,
11 Section 142.9), is amended to read as follows:

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

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

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

24 Alternative Fuels Equipment Technician Examination \$50.00

1	Alternative Fuels Compression Technician Examination	\$50.00
2	Electric Vehicle Technician Examination	\$50.00
3	Alternative Fuels Equipment Technician Certificate	\$50.00
4	Alternative Fuels Compression Technician Certificate	\$50.00
5	<u>Alternative Fuels Equipment or Compression Technician</u>	
6	<u>Certificate</u>	<u>\$25.00</u>
7	Electric Vehicle Technician Certificate	\$50.00
8	Certificate renewal, if made within thirty (30) days after	
9	expiration:	
10	Alternative Fuels Equipment Technician Certificate	\$50.00
11	Alternative Fuels Compression Technician Certificate	\$50.00
12	<u>Alternative Fuels Equipment or Compression Technician</u>	
13	<u>Certificate</u>	<u>\$25.00</u>
14	Electric Vehicle Technician Certificate	\$50.00
15	Penalty for Late Certification Renewal:	
16	Alternative Fuels Equipment Technician Certificate	\$10.00
17	Alternative Fuels Compression Technician Certificate	\$10.00
18	Electric Vehicle Technician Certificate	\$10.00
19	Company, Partnership or Corporation Certificate	\$100.00
20	Annual Renewal for Company, Partnership or Corporation	
21	Certificate	\$100.00
22	Training Program Certification (one-time fee)	\$500.00
23	Alternative Fuels Installation Certification Per	
24	Location	\$1,000.00

1 Annual Renewal of Alternative Fuels Installation

2 Certification Per Location \$250.00

3 for each dispenser nozzle

4 at the location or

5 \$1,000.00

6 whichever amount is less

7 SECTION 4. It being immediately necessary for the preservation

8 of the public peace, health and safety, an emergency is hereby

9 declared to exist, by reason whereof this act shall take effect and

10 be in full force from and after its passage and approval.

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