



**OKLAHOMA
DEPARTMENT
OF
CENTRAL SERVICES**

**COMMITTEE OF ALTERNATIVE
FUELS TECHNICIAN EXAMINERS**

**ADMINISTRATIVE RULES
OAC 580:55**

August 2013

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TITLE 580. DEPARTMENT OF CENTRAL SERVICES
CHAPTER 55. COMMITTEE OF ALTERNATIVE FUELS TECHNICIAN
EXAMINERS

SUBCHAPTER 1. GENERAL PROVISIONS

580:55-1-21. Purpose

The purpose of this chapter is to fulfill the mandate of Title 74 Section 130.18 by establishing rules in accordance with the Alternative Fuels Technician Certification Act.

580:55-1-22. [RESERVED]

580:55-1-23. Definitions

The following words or terms, when used in this Subchapter, shall have the following meaning unless the context clearly indicates otherwise:

"Administrator" means the Program Administrator and Recording Secretary of the Committee.

"Agency" means the Division of Capital Assets Management of the Office of Management and Enterprise Services.

"Alternative fuels" means fuels which result in comparably lower emissions of oxides of nitrogen, volatile organic compounds, carbon monoxide, or particulate matter or any combination thereof and includes CNG, LPG, LNG, methanol, ethanol, reformulated gasoline and electricity.

"Alternative fuels compression technician" means any person who installs, services, modifies, repairs or renovates fill stations.

"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 and includes OEM vehicles either dedicated to operate on an alternative fuel or manufactured bi-fueled, i.e., capable of operating on gasoline or an alternative fuel.

"Alternative Fuels Technician Certification Act" means O.S. Title 74, Section 130.11 through 130.24.

"Board" means the Alternative Fuels Technician Hearing Board.

"Capable of operating on an alternative fuel" means any motor vehicle converted or designed to operate on an alternative fuel.

"Charge station" means the physical device that provides a connection from a power source to an electric vehicle as defined by the Electric Power Research Institute, and the Society of Automotive Engineers.

"CNG" means compressed natural gas.

"Committee" means the Committee of Alternative Fuels Technician Examiners.

"Electric vehicle technician" means any person who installs, modifies, repairs, performs maintenance on, motors, controllers, on-board power sources, or the drive systems of vehicles powered by electricity. This includes vehicles originally equipped as electric vehicles, vehicles converted from gliders, and vehicles converted from internal combustion engine vehicles.

"Engine" means the propulsion system of a motor vehicle. Nothing in this definition is meant to cover any stationary engine.

"Fill station" means the property which is directly related to the delivery of compressed natural gas, liquefied natural gas, liquefied petroleum gas otherwise known as propane, into the fuel tank of a motor vehicle propelled by such fuel including the compression equipment and storage vessels for such fuel at the point where the fuel is delivered. Compressed Natural Gas and Liquefied Petroleum Gas are subject to the NFPA code 52 and 58 respectively.

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

"LNG" means liquefied natural gas.

"LPG" means liquefied petroleum gas otherwise known as propane.

"Motor vehicle" means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails; provided, however, the definition of "motor vehicle" herein shall not include implements of husbandry.

"NFPA" means the National Fire Protection Association.

"OEM" means original equipment manufacturers.

"Person" means individuals, corporations, partnerships, cooperatives, associations and governmental subdivisions.

"Work" means any procedure involved in the physical installation or servicing of all components used in the conversion of motor vehicles to operate on alternative fuels and the servicing of original equipment manufacturers vehicles that operate on alternative fuels, including:

- (A) LPG and CNG components;
 - (i) tubing;
 - (ii) fittings;
 - (iii) valves;
 - (iv) gauges;
 - (v) brackets;
 - (vi) fuel lines;
 - (vii) cylinders;
 - (viii) tanks; and
 - (ix) electronic or electrical devices.
- (B) Electric vehicle components;
 - (i) traction battery packs or modules;
 - (ii) motor controllers;
 - (iii) subsystem controllers;
 - (iv) inverters;
 - (v) drive motors;
 - (vi) auxiliary components powered by high voltage; and
 - (vii) any high voltage circuits.

"Written" or **"In writing"** means a tangible or electronic record of a document, communication or representation, including handwriting, typewriting, printing, photostating, photography, e-mail or other electronic format or record. A "signed" writing includes an electronic sound, symbol or process attached to or logically associated with a writing and executed or adopted by a person with the intent to sign the writing.

[Source: Added at 12 Ok Reg 3231, eff 7-27-95]

580:55-1-24. [RESERVED]**580:55-1-25. Duties and responsibilities of the Committee of Alternative Fuels
Technician Examiners**

- (a) The Committee shall assist and advise the agency on all matters relating to the formulation of rules and standards in accordance with the Alternative Fuels Technician Certification Act.
- (b) The Committee shall administer the examination to applicants for certification as alternative fuels technicians provided that such examination is in accordance with the provisions of the Alternative Fuels Technician Certification Act

580:55-1-26. [RESERVED]**580:55-1-27. Duties and responsibilities of the Alternative Fuels Technican Hearing
Board**

- (a) The Board may, upon its own motion, and shall, upon written complaint filed by any person, investigate the business transactions of any certified alternative fuels technician or certified alternative fuels installation company, partnership or corporation.
- (b) The Board is authorized to suspend or revoke any certificate; in addition, the board is authorized to impose civil penalties pursuant to the Administrative Procedures Act.

580:55-1-28. [RESERVED]**580:55-1-29. Alternative Fuels Technician Certification Revolving Fund**

- (a) Funds derived from the "Alternative Fuels Technician Certification Act" shall be deposited with the State Treasurer and credited to the "Alternative Fuels Technician Certification Revolving Fund".
- (b) The revolving fund shall be a continuing fund not subject to fiscal year limitations and shall be under the control and management of the Agency.
- (c) 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:
 - (1) Payment of administrative costs and other operational costs supporting program existence; and,
 - (2) Payment of the costs of programs designed to promote public awareness of the alternative fuels industry; and,
 - (3) Expenditures for the preparation and printing of regulations, bulletins or other documents and the furnishing of copies of such documents to those persons engaged in the alternative fuels industry or the public.

SUBCHAPTER 5. TESTING, CERTIFICATION AND RECERTIFICATION**580:55-5-1. Applications for examinations, certification or renewal of certification**

- (a) All applications for examination, certification or renewal of certification shall be made in writing to the agency on forms provided, if necessary, by the agency.
- (b) All applications shall be accompanied by the appropriate fee as set forth in section 580:55-1-41.

580:55-5-2. Contents of application

The application shall be verified, and shall contain the following information, together with any additional information that the agency may require:

- (1) Name of the applicant;
- (2) Mailing Address;
- (3) Address of all locations that the applicant proposes to engage in the installation or modifications of vehicles using an alternative fuel; and
- (4) The type of service, set forth specifically, which the applicant intends to perform and the type of permit that the applicant seeks to secure, such as LPG, CNG, LNG, EV or other alternative fuel.

580:55-5-3. [RESERVED]**580:55-5-4. Certificate required by agency**

The mere filing of an application for a certificate does not of itself authorize the engaging in any of the installations or modifications of any equipment listed in the definition of "Work" in 580:55-1-23.

580:55-5-5. [RESERVED]**580:55-5-6. Fees**

(a) The fee schedule for the Alternative Fuels Technician Certification Act is as follows:

- (1) Alternative fuels technician examination - \$50
- (2) Alternative fuels technician certificate - \$50
- (3) Company, partnership or corporation - \$100
- (4) Training program certification (one-time) - \$500
- (5) Alternative fuels installation certification per location - \$1,000
- (6) Certificate renewal (if made within 30 days after expiration):
 - (A) Alternative fuels technician certificate - \$50
 - (B) Company, partnership or corporation - \$100
 - (C) Alternative fuels installation certification - \$1,000 per location
- (7) Penalty for late certification renewal - \$10
- (8) Prorated fee for new technician certification after March first of each year - \$25; after June 1 of each year - \$12.50

(b) Form of payment from non-governmental entities and general public.

- (1) Payment may be only in the form of:
 - (A) Certified funds,
 - (B) Business check,
 - (C) Personal check,
 - (D) Money order, or
 - (E) Cashier's check.
- (2) The presenter of a check must present a valid driver license or other picture form of identification at the time of payment.
- (3) Unguaranteed checks and 2-party checks shall not be accepted.

- (4) Payment refunds. All payments received are nonrefundable.

580:55-5-7. [RESERVED]

580:55-5-8. Processing and handling of applications and examinations

- (a) Upon receipt of an application for a certificate, the Administrator schedules the applicant for an examination.
- (b) Examinations shall be administered in the following manner:
- (1) Questions for an examination shall be selected from appropriate sources deemed applicable by the committee.
 - (2) Questions shall be multiple choice. The format of examination questions shall be varied and include multiple choice and true/false.
 - (3) Prior to being put into the reservoir, the questions shall be reviewed by the committee.
 - (4) For each examination, a total of 75 questions shall be drawn from the reservoir.
 - (5) Applicants testing during a scheduled examination session will not be given identical versions of the examination.
 - (6) The examination shall be administered in a manner that the identity of the applicant shall be unknown during the grading process.
 - (7) Examinations for certification as alternative fuels technician shall be uniform and practical in nature as determined by the committee for alternative fuels technician certification and shall be sufficiently strict to test the qualifications and fitness of the applicants for certification.
 - (8) An oral examination may be administered by prior arrangement.
 - (9) The committee shall conduct examinations twice a year and at such times as it deems necessary.
 - (10) A score of eighty percent (80%) correct shall be a passing grade for all examinations.
 - (11) 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) days.
 - (12) All applicants can petition the committee if they feel the committee's grade was incorrect. An applicant may petition the committee if the applicant disagrees with his or her examination grade issued by the committee. The applicant must notify the administrator of the petition prior to the next scheduled committee meeting in order for the petition to be placed on the meeting agenda.
 - (13) All decisions of the committee are final.
 - (14) Applicants that pass the examination and are notified by the committee of such must make arrangements for certification within ninety (90) days of such notification.
 - (15) After the ninety (90) days, and such applicant has not been certified (i.e., paid the fee and provided proof of insurance), the applicant must retest prior to their certification.
 - (16) The agency shall enforce the provisions of this section.

580:55-5-9. [RESERVED]

580:55-5-10. Certificate qualification and transfer or loan of certificate

- (a) The Agency issues a certificate as:
- (1) An alternative fuels equipment technician to any person who 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.
 - (2) An alternative fuels compression technician to any person who 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.
- (b) The agency shall have the authority to determine the validity of a certificate issued by another governmental entity.
- (c) The agency shall assess the required certification fee and ascertain that an applicant has also complied with the provisions of the Alternative Fuels Technician Certification Act.
- (d) In the case of a company, partnership or corporation engaged in the business of installing, servicing, repairing, modifying or renovating equipment used in the conversion of engines to engines fueled by alternative fuels, a separate certificate shall be issued by the agency to that individual company, partnership or corporation. The certificate is for the purpose of recognizing that the company, partnership or corporation is an authorized alternative fuels conversion business and employs state-certified alternative fuels technicians.
- (e) Any violation by a certified alternative fuels equipment or compression technician shall be deemed a violation by the certified company, partnership or corporation employing such certified technician.
- (f) The agency 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 (10) or more auto service technicians per location. The certification shall be based on the ability of the applicant to provide their own alternative fuels technician training program, which shall be certified by the committee. This certification applies only to the conversion or service of vehicles owned or operated by such public entity or private company, partnership or corporation.
- (g) All alternative fuels technician equipment or compression certificates shall be non-transferable.
- (h) 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.

580:55-5-11. [RESERVED]**580:55-5-12. Change of address of holder of certificate or registration**

Any holder of a certificate or registration issued in accordance with the provisions of the Alternative Fuels Technician Certification Act shall notify the agency of any change in such holders address no later than thirty (30) days of such change.

580:55-5-13. Insurance requirements

A certificate shall not be issued to any applicant unless and until the agency has received proof of insurance as required by this section.

(1) Alternative fuels technicians and conversion companies, partnerships or corporation engaged in the installation of alternative fuel equipment are required to have on file with the agency proof of certificate holders liability insurance coverage, with limits of not less than fifty thousand dollars (\$50,000.00) general liability, and is in full force and effect covering the plant, garage, equipment and motor vehicles used in such business. Proof of self insurance will also be accepted.

(2) Insurance under this section shall be kept and remain in force during the lifetime of the certification issued hereunder. An insurance certificate or certificates showing that the required insurance coverage is in force must be filed with the agency.

(3) Such insurance coverage will not be canceled or terminated unless written notice of such cancellation or termination is given to the agency thirty (30) days prior to cancellation date.

(4) Nothing in this section shall be deemed or construed to require product liability insurance coverage.

(5) If in the event insurance is canceled and the agency is not notified within the thirty (30) day period or not provided with proof of insurance renewal, the agency will notify the board of such action and request that the certificate be revoked or suspended.

580:55-5-14. Guidelines for certificate renewal

(a) All certificates issued under the agency shall expire on September 1st of each year.

(b) A late fee of Ten Dollars (\$10.00) will be charged after September 30th.

(c) At such time re-testing will be required in order to be certified.

(d) At the time of recertification, proof of insurance coverage will be required as part of the process.

(e) Applicants failing to provide proof of insurance at said time of renewal will be subject to the late penalty, outlined in 580:55-5-12., if insurance verification is made after the September 30th date.

(f) All Alternative Fuel Technicians are required to re-test every three (3) years to receive a renewal of certification.

(g) All applications for examination for the renewal of certification shall be made in writing to the agency on forms provided, if necessary, by the agency.

(h) All applications shall be accompanied by the appropriate fee as set forth in section 580:55-5-4.

**SUBCHAPTER 7. STANDARDS FOR ALTERNATIVE FUELS TECHNICIANS –
CONVERSION AND COMPRESSION****580:55-7-1. Work of alternative fuels technician by non-certified person**

(a) From and after July 1, 1991, it shall be unlawful for any person to perform the work or offer, by advertisement or otherwise, to perform the work of an alternative fuels technician until such person is certified as an alternative fuels technician by the agency.

(b) Nothing in this Chapter shall prevent a non-certified person from converting the engine of a farm tractor, as defined in Sections 1-118 of Title 47 of the Oklahoma Statutes, to an engine fueled by alternative fuels, as long as such farm tractor is not operated on the roads and highways of this state.

(c) Activities directly related to normal, vehicle maintenance and service are exempt from the definition of work. It is not the intent of this section to prevent any individual, corporation, company from servicing, repairing or maintaining general systems not directly related to the alternative fuel delivery system. Such non-alternative motor fuels related activities include:

(1) For LPG and CNG vehicles;

(A) Tune-ups;

(B) Filter replacement;

(C) Oil changes;

(D) Electrical/electronic component replacement; and,

(E) Belts and hoses.

(2) For Electric vehicles;

(A) Replace auxiliary battery;

(B) Replace hoses or coolant, not affecting high voltage circuits or components;

(C) Replace brake and suspension components not linked to any high voltage circuits or components

(d) Non-certified individuals participating in a agency authorized training program, under the guidance of a state certified instructor, are exempt from the certification requirement during the training period.

580:55-7-2. [RESERVED]

580:55-7-3. Standards for equipment installation and inspection

(a) The standards for the equipment installation and inspection of liquefied petroleum gas vehicular fuel systems adopted by NFPA are published in the latest edition of its pamphlet No. 58.

(b) The standards for the equipment and compression installation and inspection of compressed natural gas vehicular fuel systems adopted by NFPA are published in the latest edition of its pamphlet No. 52.

580:55-7-4. Decals and conversion reporting procedure

(a) After an alternative fuel conversion or modification of equipment is completed for any motor vehicle, the technician shall affix a blue CNG diamond, black propane diamond or green EV diamond, whichever is applicable, according to NFPA pamphlet No. 52.

(b) No certified technician shall install, service, repair or modify any motor vehicle, capable of operating on an alternative fuel that does not have the required decals.

(c) Converted alternative fueled vehicles and OEM alternative fueled vehicles shall have placed on the vehicle, decals & labels required by NFPA and the following:

(1) The date of installation;

(2) The name of the installing technician; and,

- (3) State of Oklahoma Certification number of the alternative fuels equipment technician.
- (4) The expiration date of time sensitive parts and components used in the conversion.
- (5) Converted vehicle information: year, make, model, and vehicle identification number (VIN).
- (6) New gross vehicle weight (GVW)
- (d) The following reporting procedure must be performed after each vehicle conversion:
 - (1) On forms, provided by the Administrator, each vehicle converted shall be reported to the Administrator by the alternative fuels technician. Information deemed necessary by the agency shall be included on the form. These forms must be sent to the Administrator no later than ten (10) days after the completion of the conversion. Photocopying of these forms is permissible.
 - (2) The penalty for failure to comply with 580:55-7-3(d)(1) shall be determined by the Board.

SUBCHAPTER 9. VIOLATIONS

580:55-9-1. Alternative Fuels Technician Hearing Board; complaints, investigations, false or fraudulent representation, suspension or revocation of certificate

- (a) A person or persons designated by the Agency Director or designee and the Committee shall act as the Alternative Fuels Technician Hearing Board and shall comply with the provisions of the Administrative Procedures Act.
- (b) The Board may, upon its own motion, and shall, upon written complaint filed by any person, investigate the business transactions of any certified alternative fuels equipment or compression technician.
- (c) The Board shall suspend or revoke any certificate or registration obtained by false or fraudulent representation.
- (d) The Board shall also suspend or revoke any certificate or registration for any of the following reasons:
 - (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 or compression technician;
 - (4) Violating any provisions of the Alternative Fuels Technician Certification Act, or any rule or order prescribed by the agency; or
 - (5) Willfully failing to perform normal business obligations without justifiable cause.
- (e) The Board shall convene at the request of the committee and/or the agency director and shall have as its counsel the general counsel of the agency.
- (f) The Board shall authorize the general counsel to investigate the matter or matters being considered by the Board.

- (g) The General Counsel of the Agency may elect to delegate the investigation to a person or persons of his choice.
- (h) Investigations are to be secret until presented to the Board for recommendations.
- (i) Upon the review of the facts of the investigation, the Board may determine whether or not to hear a case.
- (j) The Board and its activities shall comply with the Administrative Procedures Act.
- (k) Any person whose Alternative Fuels Equipment or Compression Technician Certificate has been revoked by the Board may apply for a new certificate one (1) year from the date of such revocation.

580:55-9-2. [RESERVED]**580:55-9-3. Violations; criminal penalties**

- (a) Any person convicted of violating any provision of the Alternative Fuels Technician Certification Act shall be guilty of a misdemeanor.
- (b) The continued violation of any provision of the Alternative Fuels Technician Certification Act during each day shall be deemed to be a separate offense.
- (c) 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.
- (d) If the Board makes a determination of a violation, it may request the appropriate district attorney to prosecute such violation and seek an injunction against such practice.

580:55-9-4. Violations to public safety

- (a) Pursuant to the authority of 47 O.S. §12-101 A. 1., 47 O.S. §13-101, it shall be unlawful for any person to operate on any highway:
 - (1) A vehicle that has not been converted according to, or does not meet the standards stated in section 580:55-7-9;
 - (2) An OEM alternative fueled vehicle that fail the manufacturer's standards.
- (b) An alternative fuels technician shall notify the Administrator within three (3) business days of any instance where the driver and, or owner of a vehicle that was found unsafe refused to correct safety issues with a vehicle.

580:55-9-5. Violations; civil penalties; determination of penalty amount; surrender of certificate in lieu of fine

- (a) Any person who has been determined by the Board to have violated any provision of the Alternative Fuels Technician Certificate 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.
- (b) The maximum civil penalty shall not exceed one thousand dollars (\$10,000) for any related series of violations.
- (c) The amount of the penalty shall be assessed by the Board pursuant to the provisions of 580:55-9-1, after notice and hearing.
- (d) In determining the amount of the penalty, the Board shall include but not be limited to, consideration of the nature, circumstances, and gravity of the violation and, with

respect to the person or persons 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.

(e) 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.

(f) 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.