Oklahoma Department of Labor

Alternative Fuels Technician Certification Act

40 O.S. § 142.1, *et seq*.

Alternative Fuels Program

OAC 380:80

Current as of July 11, 2026

Leslie Osborn

Commissioner of Labor

This publication is issued by the Oklahoma Department of Labor as authorized by Labor Commissioner Leslie Osborn. Copies have not been printed but are available through the agency website. The publisher of this booklet does not warrant the correctness of the information contained in this booklet. The "official" version of the Oklahoma Administrative Code must be obtained from the Office of Administrative Rules, Oklahoma Secretary of State, 405-521-4911, www.sos.ok.gov.

Oklahoma Alternative Fuels Technician Certification Act and Administrative Rules

Table of Contents

Oklahoma Alternative Fuels Technician Certification Act 5

40 O.S. § 142.1 Regulation of compressed natural gas fueling station--Implementation and enforcement of Alternative Fuels Technician Certification Act--Transfer of duties and authority to Department of Labor 5

40 O.S. § 142.2 Inspection by Department of Labor 7

40 O.S. § 142.3 Short title--Alternative Fuels Technician Certification Act 7

40 O.S. § 142.4 Legislative intent 7

40 O.S. § 142.5 Definitions 7

40 O.S. § 142.6 Committee of Alternative Fuels Technician Examiners--Members--Terms--Vacancies--Duties--Expenses--Quorum 8

40 O.S. § 142.7 Examinations for certification of technicians 10

40 O.S. § 142.8 Certificate--Qualifications--Transfer or loan of certificate--Standards for storage and handling of liquefied petroleum gases and for electric vehicle charge stations 11

40 O.S. § 142.9 Applications for examination, certification or renewal of certification--Fees 14

40 O.S. § 142.10 Recertification--Rules and guidelines 16

40 O.S. § 142.11 Alternative Fuels Technician Examiners--Complaints--Investigations--False or fraudulent representation--Suspension or revocation of certificate 16

40 O.S. § 142.12 Work of technician by noncertified person 18

40 O.S. § 142.13 Change of address of holder of certificate or registration 19

40 O.S. § 142.14 Alternative Fuels Technician Certification Revolving Fund 19

40 O.S. § 142.15 Violations--Criminal penalties 20

40 O.S. § 142.16 Violations--Civil penalties--Determination of penalty amount--Surrender of certificate in lieu of fine 20

Administrative Rules 22

380:80-1-1. Purpose 22
380:80-1-2. Standards for alternative fuel engine fuel systems 22
380:80-1-3. Definitions 22
380:80-1-4. Applicability and severability 26
380:80-1-5. Filings required for stationary CNG and/or hydrogen installations 26
380:80-1-6. Design and construction of cylinders, pressure vessels, and vapor recovery receivers 29
380:80-1-7. Vehicle fueling connection 29
380:80-1-8. Application for an exception 30
380:80-1-9. Report of CNG or hydrogen incident/accident 33
380:80-1-10. Removal from CNG or hydrogen service 33
380:80-1-11. Filling unapproved containers prohibited 34
380:80-3-1. Applicability 34
380:80-3-2. Dispenser accuracy 34
380:80-3-3. Codes incorporated by reference 34
380:80-3-4. Retail dispensing of natural gas and/or hydrogen 35
380:80-3-5. Retail motor fuel dispensers inspection and testing 35
380:80-3-6. Retail dispensers for compressed natural gas 36
380:80-3-7. Retail dispensers for liquefied natural gas 36
380:80-3-7.1. Dispensers for hydrogen 37

380:80-3-8.	Product quality	37
380:80-3-9.	Inspection by Department of Labor	38
380:80-5-1.	Purpose	38
380:80-5-2.	Definitions	38
380:80-5-3.	Duties and responsibilities of the Committee of Alternative Fuels Technician Examiners	41
380:80-5-4.	Alternative Fuels Technician Certification Revolving Fund	42
380:80-7-1.	Applications for examinations, certification or renewal of certification	42
380:80-7-2.	Contents of application	43
380:80-7-3.	Certificate required by agency	43
380:80-7-4.	Fees	43
380:80-7-5.	Processing and handling of applications and examinations	44
380:80-7-6.	Certificate qualification and transfer or loan of certificate	46
380:80-7-7.	Alternative fuels trainees	49
380:80-7-8.	Change of address of holder of certificate or registration	49
380:80-7-9.	Insurance requirements	50
380:80-7-10.	Guidelines for certificate renewal	50
380:80-9-1.	Work of alternative fuels technician by non-certified person	51
380:80-9-2.	Standards for equipment installation and inspection	52
380:80-9-3.	Decals and conversion reporting procedure	52
380:80-11-1.	Alternative Fuels Technician Examiners; complaints, investigations, false or fraudulent representation, suspension or revocation of certificate	53
380:80-11-2.	Violations; criminal penalties	54
380:80-11-3.	Violations to public safety	54

380:80-11-4. Violations; civil penalties; determination of penalty amount; surrender of certificate in lieu of fine 55

Oklahoma Alternative Fuels Technician Certification Act

40 O.S. § 142.1 Regulation of compressed natural gas fueling stations--Implementation and enforcement of Alternative Fuels Technician Certification Act--Transfer of duties and authority to Department of Labor

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

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

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

D. 1. All unexpended funds, property, furnishings, equipment, supplies, records, and outstanding financial obligations and encumbrances of the Corporation Commission relating to the regulation of natural gas fueling stations and of the Office of Management and Enterprise Services relating to the implementation and enforcement of the Alternative Fuels Technician Certification Act shall be transferred to the Department of Labor for the continuing performance of duties relating to the regulation of natural gas fueling stations and implementation

and enforcement of the Alternative Fuels Technician Certification Act. No funds, property, furnishings, equipment, supplies or records may be expended or used for any purpose other than the performance of duties and responsibilities as directed and required in this act.

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

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

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

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

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

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

40 O.S. § 142.2 Inspection by Department of Labor

A. The Department of Labor shall have authority to have access to and inspect any equipment including compression equipment and storage tanks, practices or methods used by or in association with any public access compressed natural gas fueling station or pump or any hydrogen fueling station or pump.

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

40 O.S. § 142.3 Short title--Alternative Fuels Technician Certification Act

This act shall be known and may be cited as the "Alternative Fuels Technician Certification Act".

40 O.S. § 142.4 Legislative intent

It is the intent of the Oklahoma Legislature that the State Board of Career and Technology Education develop curriculum for the training of technicians for the installation and conversion of engines to be fueled by alternative fuels as the technologies are developed. It is further the intent of the Oklahoma Legislature that Oklahoma State University Institute of Technology-Okmulgee develop curriculum for the training of technicians for the installation, service, modification, repair or renovation of fill stations. It is further the intent of the Oklahoma Legislature to enact legislation which promotes the development of technology in a manner that ensures the health and safety of the citizens of this state.

40 O.S. § 142.5 Definitions

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. "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.

40 O.S. § 142.6 Committee of Alternative Fuels Technician Examiners--Members--Terms--Vacancies--Duties--Expenses--Quorum

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 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 Recording Secretary to the Committee.

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

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

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

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

40 O.S. § 142.7 Examinations for certification of technicians

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. 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 thirty (30) days.

E. The Department of Labor shall enforce the provisions of this section.

40 O.S. § 142.8 Certificate--Qualifications--Transfer or loan of certificate--Standards for storage and handling of liquefied petroleum gases and for electric vehicle charge stations

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

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

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

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

1. Has successfully passed the appropriate examination as provided in the Alternative Fuels Technician Certification Act or has been certified by the Committee as having a valid license or certificate

issued by another governmental entity with licensing or certification requirements similar to those provided in the Alternative Fuels Technician Certification Act; and

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

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

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

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

D. In the case of a company, partnership or corporation engaged in the business of installing, servicing, repairing, modifying or renovating equipment used in the conversion of engines to engines fueled by alternative fuels, a separate certificate shall be issued by the Department of Labor to that individual company, partnership or corporation. This certificate is for the express purpose of recognizing that the company, partnership or corporation is an authorized alternative fuels conversion business and employs state-certified alternative fuels equipment technicians. Any violations by a certified alternative fuels equipment technician shall be deemed a violation by the certified company, partnership or corporation employing such certified technician. A company, partnership or corporation engaged in the business of installing, servicing, repairing, modifying or renovating equipment used in the conversion of engines to engines fueled by alternative fuels shall provide the Department of Labor with proof of liability insurance with limits of not less than One Million Dollars ($1,000,000.00) general liability.

E. In the case of a company, partnership or corporation engaged in the business of installing, servicing, repairing, modifying or renovating fill stations, a separate certificate shall be issued by the Department of Labor to that individual company, partnership or corporation. This certificate is for the express purpose of recognizing that the company, partnership or corporation is an authorized fill station installation business and employs state-certified alternative fuels compression

technicians or electric vehicle technicians. Any violations by a certified alternative fuels compression technician or electric vehicle technician shall be deemed a violation by the certified company, partnership or corporation employing such certified technician. A company, partnership or corporation engaged in the business of installing, servicing, repairing, modifying or renovating fill stations shall provide the Department of Labor with proof of liability insurance with limits of not less than One Million Dollars ($1,000,000.00) general liability.

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

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

H. The standards for the storage and handling of liquefied petroleum gases in the codes adopted by the Oklahoma Uniform Building Code Commission pursuant to the Oklahoma Uniform Building Code Act shall be the accepted codes and standards for this state. The standards for the installation of compressed natural gas vehicular fuel systems adopted by the National Fire Protection Association and published in its Pamphlet No. 52 shall be the accepted standards for this state. The accepted standards for this state for electric vehicle charge stations shall be the codes adopted by the Oklahoma Uniform Building Code Commission. The standards for the design, construction, installation, repair, use and inspection of alternative fuel fueling stations, including residential fueling appliances and facilities, in the codes adopted by the Oklahoma Uniform Building Code Commission pursuant to the Oklahoma Uniform Building Code Commission Act shall be the accepted codes and standards for this state. The Commissioner of

Labor is authorized, and it shall be the duty of the Commissioner to adopt and promulgate such rules or specifications relating to safety in the manufacture, assembly, sale, installation and use of vehicular alternative fuel systems. The Commissioner of Labor is further authorized to modify or amend such rules or specifications as he or she deems reasonable and necessary.

I. The Department of Labor may issue an alternative fuels trainee certificate to any person who submits a trainee application to the Department within fifteen (15) business days of being hired by a licensed alternative fuels conversion company. An alternative fuels trainee shall be employed by a licensed alternative fuels conversion company located in Oklahoma. A trainee shall work under the direct supervision of a licensed alternative fuels equipment technician. There shall be no more than two alternative fuels trainees per licensed alternative fuels equipment technician at any licensed Oklahoma alternative fuels conversion company at any one time. An individual that holds a trainee license may engage in any licensed category pursuant to the Alternative Fuels Technician Certification Act while under the direct supervision of an individual holding the appropriate license in the category of activity being performed.

J. The Department of Labor may issue an alternative fuels compression trainee certificate to any person who submits a trainee application to the Department within fifteen (15) business days of being hired by a licensed alternative fuels fill-station installation business. An alternative fuels compression trainee shall be employed by a licensed alternative fuels fill-station installation business located in Oklahoma. A trainee shall work under the direct supervision of a licensed alternative fuels compression technician. There shall be no more than two alternative fuels compression trainees per licensed alternative fuels compression technician at any licensed Oklahoma alternative fuels fill-station installation business or the job site or sites of any such alternative fuels fill-station installation business at any one time. An individual who 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.

40 O.S. § 142.9 Applications for examination, certification or renewal of certification--Fees

A. 1. All applications for examination, certification or renewal of certification shall be made in writing to the Department of Labor on

forms provided, if necessary, by the Department of Labor. All applications shall be accompanied by the appropriate fee.

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

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

Alternative Fuels Equipment Technician Examination	$50.00
Alternative Fuels Compression Technician Examination	$50.00
Electric Vehicle Technician Examination	$50.00
Alternative Fuels Equipment Technician Certificate	$50.00
Alternative Fuels Compression Technician Certificate	$50.00
Alternative Fuels Equipment or Compression Training Certificate	$25.00
Electric Vehicle Technician Certificate	$50.00

Certificate renewal, if made within thirty (30) days after expiration:

Alternative Fuels Equipment Technician Certificate	$50.00
Alternative Fuels Compression Technician Certificate	$50.00
Alternative Fuels Equipment or Compression Training Certificate	$25.00
Electric Vehicle Technician Certificate	$50.00

Penalty for Late Certification Renewal:

Alternative Fuels Equipment Technician Certificate	$10.00
Alternative Fuels Compression Technician Certificate	$10.00
Electric Vehicle Technician Certificate	$10.00

Company, Partnership or Corporation Certificate	$100.00
Annual Renewal for Company, Partnership or Corporation Certificate	$100.00
Training Program Certification (one-time fee)	$500.00
Alternative Fuels Installation Certification Per Location	$1,000.00
Annual Renewal of Alternative Fuels Installation Certification Per Location	$250.00 for each dispenser meter at the location not to exceed $1,000.00 per location

40 O.S. § 142.10 Recertification--Rules and guidelines

The Commissioner of Labor shall adopt rules and guidelines for the expiration of certificates for alternative fuels equipment technicians, alternative fuels compression technicians, and electric vehicle technicians, and for determining the recertification of alternative fuels equipment technicians, alternative fuels compression technicians, and electric vehicle technicians.

40 O.S. § 142.11 Alternative Fuels Technician Examiners--Complaints--Investigations--False or fraudulent representation--Suspension or revocation of certificate

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.

40 O.S. § 142.12 Work of technician by noncertified person

After September 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 equipment technician until such person has qualified and is certified as an alternative fuels equipment technician. Beginning September 1, 1995, it shall be unlawful for any person to perform work or offer, by advertisement or otherwise, to perform the work of an alternative fuels compression technician until such person has qualified and is certified as an alternative fuels compression technician. Beginning November 1, 1998, it shall be unlawful for any person to perform the work or offer, by advertisement or otherwise, to perform the work of an electric vehicle technician until such person has qualified and is certified as an electric vehicle technician. Electric vehicles that have a manufacturer's warranty shall be serviced by an authorized new car dealer. Any vehicle manufacturer's training center located in the state, which offers alternative fuel and electric vehicle courses meeting new car manufacturing requirements, shall be exempted from this act. Provided, nothing in the Alternative Fuels Technician Certification Act shall be construed to prohibit a noncertified person from converting the engine of a farm tractor, as defined in Section 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.

40 O.S. § 142.13 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 promptly notify the Department of Labor of any change in such holder's address.

40 O.S. § 142.14 Alternative Fuels Technician Certification Revolving Fund

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.

40 O.S. § 142.15 Violations--Criminal penalties

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 Commissioner of Labor or designee may request the appropriate district attorney to prosecute such violation and seek an injunction against such practice.

40 O.S. § 142.16 Violations--Civil penalties--Determination of penalty amount--Surrender of certificate in lieu of fine

A. Any person who has been determined by the 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 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 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.

Administrative Rules

380:80-1-1. Purpose

The purpose of this chapter is to fulfill the mandate of Title 40 Section 142.2 by establishing rules in accordance with the Alternative Fuels Technician Certification Act.

380:80-1-2. Standards for alternative fuel engine fuel systems

(a) The standards for the design, construction, installation, repair, use, and inspection of alternative fuel engine fuel systems are contained in the National Fire Protection Association's pamphlets No. 2, 52, 55 and 58 and are adopted by reference as part of these rules.

(b) The standards for the installation, modification, repair, or performance of maintenance on motors, controllers, on-board power sources, or the drive systems of vehicles powered by electricity, including vehicles originally equipped as electric vehicles, vehicles converted from gliders, and vehicles converted from internal combustion engine vehicles, are contained in the National Electrical Code (NEC) and are adopted by reference as part of these rules.

(c) Copies of the adopted standards are available for inspection at the Oklahoma Department of Labor, 409 NE 28th St., 3rd Floor, Oklahoma City, OK 73105.

380:80-1-3. Definitions

The following words and terms, when used in this Chapter, shall have the following meanings, unless the context clearly indicates otherwise:

"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, biodiesel, hydrogen, and electricity.

"Alternative fuel engine fuel systems" 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 an alternative fuel to an internal combustion engine or engines.

"ANSI" means the American National Standards Institute.

"ASME" means the American Society of Mechanical Engineers.

"ASME Code" means the ASME Boiler and Pressure Vessel Code.

"Automatic dispenser" means a CNG and/or hydrogen dispenser which is operated by a member of the general public and which requires transaction authorization.
"Building" means a structure with walls and a roof resulting in the structure being totally enclosed.

"BTU" means a scientific unit of measurement equal to the quantity of heat required to raise the temperature of one pound of water one degree Fahrenheit at approximately sixty degrees Fahrenheit.

"CNG" See "Compressed natural gas" in this section.

"CNG GGE" means 5.660 pounds of CNG.

"CNG cylinder" means a cylinder or other container designed for use or used as part of a CNG system.

"CNG system" means a system of safety devices, cylinders, piping, fittings, valves, compressors, regulators, gauges, relief devices, vents, installation fixtures, and other CNG equipment intended for use or used in any building or commercial installation, or used in conjunction with a motor vehicle or mobile fuel system fueled by CNG, or any system or facilities designed to be used or used in the compression, sale, storage, transportation for delivery, or distribution of CNG in portable CNG cylinders, not including natural gas facilities, equipment, or pipelines located upstream of the inlet of a compressor devoted entirely to CNG.

"Commercial installation" means any CNG and/or hydrogen installation located on premises other than a single family dwelling used as a residence, including but not limited to a retail business establishment, school, convalescent home, hospital, retail CNG and/or hydrogen cylinder filling/exchange operation, service station, forklift refueling facility, or private motor/mobile fuel cylinder filling operation.

"Compressed natural gas" means natural gas which is a mixture of hydrocarbon gases and vapors consisting principally of methane (CH4) in gaseous form that is compressed and used, stored, sold, transported, or distributed for use by or through a CNG system.

"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 including compressed natural gas blended with other gases such as hydrogen.

"Container" means a pressure vessel, cylinder, or cylinders permanently manifolded together used to store CNG or LNG.

"Cylinder" means a container constructed, inspected, and maintained in accordance with DOT and Transport Canada regulations or ANSI/IAS NGV2, Basic Requirements for Compressed Natural Gas Vehicle (NGV) Fuel Containers.

"DOT" means the United States Department of Transportation.

"Fuel supply cylinder" means a cylinder mounted upon a vehicle for storage of CNG and/or hydrogen as fuel supply to an internal combustion engine.

"Gallon Diesel Equivalent" or "Diesel Gallon Equivalent (DGE)" means an amount of a motor fuel that contains an average lower heating value of one hundred twenty-eight thousand (128,000) BTUs but in no case contains a lower heating value of less than one hundred twenty-four thousand (124,000) BTU's.

"Gallon Gasoline Equivalent" or "Gasoline Gallon Equivalent (GGE)" means an amount of a motor fuel that contains an average lower heating value of one hundred fourteen thousand (114,000) BTU's, but in no case contains a lower heating value of less than one hundred ten thousand (110,000) BTU's.

"Gallon Equivalent" means either a gallon diesel equivalent or a gallon gasoline equivalent.

"Hydrogen" means a hydrogen fuel composed of molecular hydrogen intended for consumption in a surface vehicle or mobile electricity production device with an internal combustion engine or fuel cell and includes liquid and gaseous hydrogen.

"Hydrogen system" means a system of safety devices, cylinders, piping, fittings, valves, compressors, regulators, gauges, relief devices, vents, installation fixtures, and other hydrogen equipment intended for use or used in any building or commercial installation, or used in conjunction with a motor vehicle or mobile fuel system fueled by hydrogen, or any system or facilities designed to be used or used in the sale, storage, transportation for delivery, or distribution of hydrogen in portable hydrogen cylinders, not including hydrogen facilities, equipment, or pipelines located upstream of the inlet of a hydrogen fill station.

"Liquefied Natural Gas (LNG)" means natural gas that has been liquefied at –259ºF (–126.1°C) and stored in insulated cryogenic tanks for use as an engine fuel.

"LNG DGE" means 6.06 pounds of LNG.

"Location" means a site operated by a CNG and/or hydrogen licensee at which the licensee carries on an essential element of its CNG and/or hydrogen activities, but where the activities of the site alone do not qualify the site as an outlet.

"Manifold" means the assembly of piping and fittings used to connect cylinders.

"Mobile fuel container" means a CNG container mounted on a vehicle to store CNG as the fuel supply for uses other than motor fuel.

"Mobile fuel system" means a CNG system which supplies natural gas fuel to an auxiliary engine other than the engine used to propel the vehicle or for other uses on the vehicle.

"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.

"Natural Gas" means compressed natural gas (CNG) or liquefied Natural Gas (LNG) as defined by this regulation.

"NFPA" means The National Fire Protection Association.

"NIST" means The National Institute of Standards and Technology.

"Outlet" means a site operated by a CNG and/or hydrogen licensee at which the business conducted materially duplicates the operations for which the licensee is initially granted a license.

"Person" means an individual, sole proprietor, partnership, firm, joint venture, association, corporation, or any other business entity, a state agency or institution, county, municipality, school district, or other governmental subdivision, public trust, or licensee.

"Proved" means the act of having verified the accuracy of dispensing equipment used to measure fuel and petroleum products using a "prover".

"Prover" means a calibrated volumetric receiver or mechanical device traceable to NIST standards.

"Representative" means the individual designated by an applicant or licensee as the principal individual in authority who is responsible for actively supervising the licensee's CNG and/or hydrogen activities.

380:80-1-4. Applicability and severability

(a) The provisions of this chapter apply to pressurized components of a compressed natural gas (CNG) system as well as the pressurized or unpressurized components of a hydrogen system, and are applicable to engine fuel systems, hydrogen fuel cells, and compression, storage, and dispensing systems.

(b) If any item, clause, or provision of these rules is for any reason declared invalid, the remainder of the provisions shall remain in full force and effect and shall in no way be affected, impaired, or invalidated.

(c) Nothing in these rules shall be construed as requiring, allowing, or approving the unlicensed practice of engineering or any other professional occupation requiring licensure.

380:80-1-5. Filings required for stationary CNG and/or hydrogen installations

(a) No CNG or hydrogen container shall be placed into CNG or hydrogen service or an installation operated or used in CNG or hydrogen service until the requirements of this section, as applicable, are met and the facility is in compliance with the rules in this chapter and all applicable statutes, in addition to any applicable requirements of the municipality or the county where an installation is or will be located.

(b) The licensee shall submit the following to the Department of Labor at least 30 days prior to construction:

(1) Form AF-1;

(2) a plat drawing from the appropriate appraisal district identifying the facility's property boundaries;

(3) a site plan of sufficient scale that identifies:

(A) the location, types, and sizes of all containers already on site or proposed to be on site;

(B) the distances from the containers and material handling equipment to the property lines, buildings, and railroad, pipeline, or roadway rights-of-way; and

(C) any known potential hazards.

(4) the Alternative Fuels Installation Certification Fee.

(c) The Department of Labor shall notify the applicant in writing outlining its findings. If the application is administratively denied, the applicant may modify the submission and resubmit it or may request a hearing in accordance with Administrative Procedures Act.

(d) If the Department of Labor finds that the proposed installation complies with the rules in this chapter and the statutes of the State of Oklahoma, and does not constitute a danger to the public health, safety, and welfare, the Department of Labor shall issue an interim approval order. The construction of the installation and the setting of the container shall not proceed until the applicant has received written notification of the interim approval order. Any interim approval order shall include a provision that such approval may be suspended or revoked if:

(1) the applicant has introduced CNG and/or hydrogen into the system prior to final approval; or

(2) a physical inspection of the installation indicates that it is not installed in compliance with the submitted plat drawing for the installation, the rules in this chapter, or the statutes of the State of Oklahoma; or

(3) the installation constitutes a danger to the public health, safety, and welfare.

(e) If a CNG or hydrogen stationary installation, equipment, or appurtenances not specifically covered by the rules in this chapter has been or will be installed, the Department of Labor shall apply and require any reasonable safety provisions to ensure the CNG or hydrogen installation is safe for CNG or hydrogen service. If the affected entity disagrees with the Department of Labor's determination, the entity may request a hearing. The installation shall not be placed in CNG or hydrogen operation until the Department of Labor has determined the installation is safe for CNG or hydrogen service.

(f) The Department of Labor shall review all applications within 21 business days of receipt of all required information and shall notify the applicant in writing of any deficiencies or whether the installation has been approved.

(g) Applications shall expire and be renewed as follows:

(1) When the Department of Labor notifies an applicant of an incomplete CNG Form AF-1, the applicant has 120 calendar days from the date of the notification letter to resubmit the corrected application or the application will expire. After 120 days, a new application shall be filed should the applicant wish to reactivate Department of Labor review of the proposed installation.

(2) If the applicant requests an extension of the 120-day time period in writing, postmarked or physically delivered to the Department of Labor before the expiration date, the application may be renewed for up to 90 days as determined by the Department of Labor.

(3) If the subject installation is not commenced, with permits pulled, within one year from the date of the Department of Labor's completed review, the applicant shall resubmit the application for the Department of Labor's review.

(h) The applicant shall notify the Department of Labor in writing when the installation is ready for inspection. If the Department of Labor does not physically inspect the facility within 30 calendar days of receipt of notice that the facility is ready for inspection, the applicant may operate the facility conditionally until the initial complete inspection is made. If any safety rule violations exist at the time of the initial inspection, the applicant may be required to cease CNG or hydrogen operation until the applicant corrects the violations.

(i) If the Department of Labor determines the completed installation varies materially from the application originally accepted, the applicant shall correct the variance and notify the Department of Labor of the correction of the variance or resubmit the application. The Department of Labor's review of such resubmitted application shall comply with the procedure described in this section.

(j) Pressure vessels shall be subject to inspections pursuant to OAC 380:25-3.

380:80-1-6. Design and construction of cylinders, pressure vessels, and vapor recovery receivers

(a) CNG fuel supply cylinders shall have a rated service pressure of not less than 3,000 psig at 70 degrees Fahrenheit. Cascade storage cylinders shall have a rated service pressure of not less than 3,600 psig at 70 degrees Fahrenheit.

(b) Hydrogen fuel supply cylinders must comply with the ASME Boiler and Pressure Vessel Code, Section VIII, and NFPA 2 unless the Chief Boiler Inspector determines that pressure vessels meeting a different standard will operate at an equivalent level of safety.

(c) Field welding or brazing for the repair or alteration of a cylinder or ASME pressure vessel may only be done by repair companies holding the required Certificate of Authorization from ASME or The National Board of Boiler and Pressure Vessel Inspectors, or in accordance with OAC 380:25-13-3.

380:80-1-7. Vehicle fueling connection

(a) A vehicle fueling connection shall provide for the reliable and secure connection of the fuel system cylinders to a source of compressed natural gas (CNG) and/or hydrogen.

(b) The fueling connection shall be suitable for the pressure expected under normal conditions and corrosive conditions which might be encountered.

(c) The fueling connection shall prevent escape of gas when the connector is not properly engaged or becomes separated.

(d) The refueling connection on an engine fuel system shall be firmly supported, and shall:

(1) receive the fueling connector and accommodate the service pressure of

the vehicle fuel system;

(2) incorporate a means to prevent the entry of dust, water, and other foreign material. If the means used is capable of sealing system pressure, it shall be capable of being depressurized before removal;

(3) have a different fueling connection for each pressure based vehicle fuel system.

(e) Any vehicle that will be fueled by an automatic dispenser shall be equipped with a fueling connection that complies with ANSI/AGA NGV1, Requirements for Natural Gas Vehicles (NGV) Refueling Connection Devices, Requirement 1-90 or ANSI HGV 4.1, Standard for hydrogen-dispensing systems, and NFPA 2, as applicable.

380:80-1-8. Application for an exception

(a) A person may apply for an exception to the provisions of this chapter by filing a written application for an exception, along with supporting documentation, with the Department of Labor.

(b) The application shall contain the following:

(1) the section number of any applicable rules or codes;

(2) the type of relief desired, including the exception requested and any information which may assist the Department of Labor in comprehending the requested exception;

(3) a concise statement of facts which supports the applicant's request for the exception, such as the reason for the exception, the safety aspects of the exception, and the social and/or economic impact of the exception;

(4) for all stationary installations, a description of the acreage and/or address upon which the subject of the exception will be located. The description shall be in writing and shall include:

(A) a site drawing;

(B) sufficient identification of the site so that determination of property boundaries may be made;

(C) a plat from the applicable appraisal district indicating the ownership of the land; and

(D) the legal authority under which the applicant, if not the owner, is permitted occupancy.

(5) the name, business address, and telephone number of the applicant and of the authorized agent, if any;

(6) an original signature, in ink, by the party filing the application or by the authorized representative;

(7) a list of the names and addresses of all interested entities as defined in subsection (c) of this section.

(c) The applicant shall provide notice of the application for an exception as follows:

(1) The applicant shall send a copy of the written application and supporting documents by certified mail, return receipt requested, to all affected entities as specified in paragraphs (2), (3), and (4) of this subsection on the same date on which the form is filed with or sent to the Department of Labor. The applicant shall include a notice to the affected entities that any objection shall be filed with the Department of Labor within 30 calendar days of the date of postmark. The applicant shall file all return receipts with the Department of Labor as proof of notice.

(2) If an exception is requested on a stationary site, the affected entities to whom the applicant shall give notice shall include but not be limited to:

(A) persons and businesses owning or occupying property within a radius of 600 feet of the site;

(B) the city clerk or fire marshal, if the site is within municipal limits; and

(C) the Board of County Commissioners of the county where the site is located, if the site is not within any municipal limits.

(3) If an exception is requested on a nonstationary site, affected entities to whom the applicant shall give notice include but are not limited to:

(A) the Oklahoma Department of Transportation; and

(B) all CNG and/or hydrogen loading and unloading facilities utilized by the applicant.

(4) the Department of Labor may require an applicant to give notice to persons in addition to those listed in paragraphs (2) and (3) of this subsection if doing so will not prejudice the rights of any entity.

(d) Objections to the requested exception shall be in writing, filed with the Department of Labor within 30 calendar days of the postmark of the application, and shall be based on facts that tend to demonstrate that, as proposed, the exception would have an adverse effect on public health, safety, or welfare. The Department of Labor may decline to consider objections based solely on claims of diminished property or aesthetic values in the area.

(e) The Department of Labor shall review the application within 21 business days of receipt of the application. If the Department of Labor does not receive any objections from any affected entities as defined in subsection (c) of this section, the Commissioner of Labor may administratively grant the exception if the Commissioner of Labor determines that the installation, as proposed, does not adversely affect the health or safety of the public. The Department of Labor shall notify the applicant in writing after the end of the 30-day objection period and, if approved, the installation shall be commenced, with permits pulled, within one year from the date of approval and installed within two years from the date of approval. The Department of Labor shall also advise the applicant at the end of the objection period as to whether any objections were received and whether the applicant may proceed. If the Commissioner of Labor denies the exception, the Department of Labor shall notify the applicant in writing, outlining the reasons and any specific deficiencies. The applicant may modify the application to correct the deficiencies and resubmit the application or may request a hearing on the matter. To be granted a hearing, the applicant shall file a written request for hearing within 14 calendar days of receiving notice of the administrative denial.

(f) A hearing shall be held when the Department of Labor receives an objection as set out in subsection (d) of this section from any affected entity, or when the applicant requests one following an administrative denial. The Department of Labor shall mail the notice of hearing to the applicant and all objecting entities by certified mail, return receipt requested, at least 21 calendar days prior to the date of the hearing. Hearings will be held in accordance with the Administrative Procedures Act and this chapter.

(g) After hearing, exceptions to this chapter may be granted by the Department of Labor if the Department of Labor finds that granting the exception for the installation, as proposed, will not adversely affect the safety of the public.

(h) A request for an exception shall expire if it is inactive for 90 calendar days after the date of the letter in which the applicant was notified by the Department of Labor of an incomplete request. The applicant may resubmit an exception request.

380:80-1-9. Report of CNG or hydrogen incident/accident

(a) In case of an incident involving single release of compressed natural gas (CNG) or hydrogen during or following CNG or hydrogen transfer or during container transportation, or an accident at any location where CNG or hydrogen is the cause or is suspected to be the cause, the licensee owning, operating, or servicing the equipment or the installation shall notify the Department of Labor by telephone immediately after the licensee has knowledge of the incident or accident. Any loss of CNG or hydrogen which is less than 1.0% of the gross amount delivered, stored, or withdrawn need not be reported to the Department of Labor. Any individual reporting shall leave his or her name and telephone number where he or she can be reached for further information.

(b) The telephone notification required by this section shall be made to the Department of Labor's main telephone line and shall include the following information:

(1) date and time of the incident or accident;

(2) type of structure or equipment involved;

(3) resident's or operator's name;

(4) physical location;

(5) number of injuries and/or fatalities;

(6) whether fire, explosion, or gas leak has occurred; and

(7) whether gas is leaking.

380:80-1-10. Removal from CNG or hydrogen service

(a) If the Department of Labor determines that any compressed natural gas (CNG) or hydrogen cylinder constitutes an immediate danger to the public health, safety, and welfare, the Department of Labor shall require the

immediate removal of the CNG and/or hydrogen by a properly licensed company to the extent necessary to eliminate the danger. If the Department of Labor determines that any CNG or hydrogen appliance, equipment, or system constitutes an immediate danger to the public health, safety, and welfare, the Department of Labor shall require the immediate disconnection by a properly licensed company of such appliance, equipment, or system from the CNG or hydrogen cylinder it services.

(b) If the affected entity disagrees with the placement of a warning tag, or with the Department of Labor's findings in subsection (a) of this section, the entity may request an investigation into the matter. The Department of Labor shall notify such entity of its finding. If the entity disagrees, the entity may request or the Department of Labor on its own motion may call a hearing. Such installation shall be brought into compliance or removed from service until such time as the final decision is rendered. All hearings and deadlines shall comply with the Administrative Procedures Act.

380:80-1-11. Filling unapproved containers prohibited

No licensee shall introduce compressed natural gas (CNG) or hydrogen into any container if he has knowledge or notice that such CNG or hydrogen container or system was not installed in accordance with the statutes of the State of Oklahoma, and with the rules and regulations in effect at the time of installation. Exception: This section does not apply to motor fuel or mobile fuel containers and systems installed on vehicles licensed in states other than Oklahoma, provided, however, that no licensee shall be required to introduce CNG or hydrogen into any container and/or system that the licensee reasonably believes to be unsafe.

SUBCHAPTER 3. DISPENSING SYSTEMS

380:80-3-1. Applicability

This subchapter applies to the design, construction, installation, and operation of cylinders, pressure vessels, compression equipment, and associated equipment used for storage and dispensing of compressed natural gas (CNG) and/or hydrogen as an engine fuel or for use with any hydrogen fuel cell vehicle in fleet and automatic dispensing operations.

380:80-3-2. Dispenser accuracy

Each retail compressed natural gas (CNG) and/or hydrogen dispenser shall comply with the applicable weights and measures requirements of the Department of Labor, relating to dispensing accuracy.

380:80-3-3. Codes incorporated by reference

In addition to other codes adopted in this chapter, the following codes are incorporated by reference:

(1) NIST Handbook 44 Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices

(2) NIST Handbook 130 Uniform Laws and Regulations in the Areas of Legal Metrology and Engine Fuel Quality

(3) The codes adopted by the Oklahoma Uniform Building Code Commission

(4) NFPA 2 (2020), NFPA 55 (2023), NFPA 30A (2021), SAE J2601 (2020), and SAE J2719 (2020)

380:80-3-4. Retail dispensing of natural gas and/or hydrogen

All retail dispensing of natural gas and/or hydrogen used as a motor vehicle fuel, or for use with any hydrogen fuel cell vehicle, from either fixed equipment or mobile refueling equipment, including vehicles, shall be operated and maintained in accordance with the applicable requirements of the codes adopted by this regulation.

380:80-3-5. Retail motor fuel dispensers inspection and testing

(a) All retail motor fuel dispensers (RMFDs) shall be suitable for their intended use, properly installed accurate and maintained in that condition by their owner/operator.

(b) All RMFDs shall be traceable to an active National Type Evaluation Program Certificate of Conformance prior to installation or use for commercial purposes.

(c) All RMFDs shall be capable of displaying delivered quantity in units of mass or gasoline or diesel gallon equivalents for calibration purposes. All adjustments and calibrations of RMFDs shall be made utilizing mass or gasoline or diesel gallon equivalent measurement standards.

(d) The Department of Labor shall be notified when any new or remanufactured RMFD is placed in service at a new or existing installation.

(e) No owner/operator of any RMFD shall use the RMFD for the measurement of natural gas and/or hydrogen unless it has been proved in a manner acceptable to the Department of Labor and sealed as correct by a state inspector or person or persons authorized by the Department of Labor.

(f) All RMFDs shall be proved and sealed as correct on an annual basis by either a state inspector or a person or persons authorized by the Department of Labor. Pursuant to these rules and National Institute of Standards and Technology (NIST) Handbook 44, all RMFDs must be accurate to within minus 2%. Any RMFD found to be calibrated at minus 4% or greater shall be sealed until it complies with this regulation.

(g) If any RMFD fails to comply with any of the provisions of this regulation, a state inspector shall seal it in such a manner as to prohibit its use, and it shall remain sealed until it complies with all of the provisions of this regulation.

(h) When an RMFD is brought back into compliance with this regulation, it may only be placed back in service by a state inspector or a person or persons authorized by the Department of Labor.

380:80-3-6. Retail dispensers for compressed natural gas

(a) All CNG kept, offered, exposed for sale, or sold at retail as a vehicle fuel, shall be in units of volume (gallons or gallon equivalents).

(b) Each retail dispenser of CNG shall be labeled as "Compressed Natural Gas."

(c) All retail CNG dispensers shall be labeled with the gallon equivalent conversion factor in terms of pounds. The label shall be permanently and conspicuously displayed on the face of the dispenser and shall have the statement "1 CNG Gasoline Gallon Equivalent (GGE) is equal to 5.660 lbs of CNG".

(d) CNG shall be dispensed into vehicle fuel containers with working pressures of 3,000 PSI (20,684 kPa) or 3,600 PSI (24,821 kPa). The dispenser shall be labeled 3,000 PSI, or 3,600 PSI corresponding to the pressure of the CNG dispensed by each fueling hose.

(e) NFPA labeling requirements also apply. Refer to NFPA 52.

(f) CNG fueling nozzles for use with vehicles less than 10,000 lb (4,500kg) GVWR shall comply with ANSI/AGA/CGA NGV 1.

380:80-3-7. Retail dispensers for liquefied natural gas

(a) For the purposes of this regulation, liquefied natural gas shall be identified by the term "Liquefied Natural Gas" or "LNG."

(b) All LNG kept, offered, exposed for sale or sold at retail as a vehicle fuel shall be in units of volume (gallons or diesel gallon equivalents [DGE's]).

(c) Each retail dispenser of LNG shall be labeled as "Liquefied Natural Gas."

(d) All retail LNG dispensers shall be labeled with the gallon equivalent conversion factor in terms of pounds. The label shall be permanently and conspicuously displayed on the face of the dispenser and shall have the statement "1 LNG Diesel Gallon Equivalent (DGE) is equal to 6.06 lbs of LNG."

(e) LNG automotive fuel shall be labeled with its automotive fuel rating in accordance with 16 CFR Part 306 (e.g. LNG 95% Methane).

(f) NFPA Labeling requirements also apply. Refer to NFPA 52.

380:80-3-7.1. Dispensers for hydrogen

All dispensers and related equipment for hydrogen must meet the standards contained in NFPA 2. Facility construction must meet the standards adopted by the Oklahoma Uniform Building Code Commission.

380:80-3-8. Product quality

(a) CNG shall meet the requirements of NFPA 52 for product quality and odorization.

(b) CNG and LNG shall have a minimum methane content of not less than 80%.

(c) Hydrogen for fuel cell vehicles shall meet the requirements of SAE J2719.

(d) The BTU content of natural gas gallon equivalents shall meet the following requirements:

(1) A CNG GGE shall contain a lower heating value of not less than 110,000 BTU's.

(2) An LNG DGE shall contain a lower heating value of not less than 124,000 BTU's.

(e) All equipment, including filters and strainers, used to prevent any foreign material, including compressor oil or water, from being dispensed into a vehicle container, shall be periodically serviced and maintained.

(f) Any shipper of natural gas products to be used for retail motor fuel, who ships such product into the state of Oklahoma or ships natural gas products from one point within the state to another point within the state shall make records of such shipments available to the division upon request.

380:80-3-9. Inspection by Department of Labor

The Department of Labor shall have authority to have access to and inspect any equipment, including compression equipment and storage tanks, practices or methods used by or in association with any public access compressed natural gas fueling station or pump or any hydrogen fueling station or pump.

SUBCHAPTER 5. ALTERNATIVE FUELS PROGRAM

380:80-5-1. Purpose

The purpose of this chapter is to fulfill the mandate of Title 40 Section 142.10 by establishing rules in accordance with the Alternative Fuels Technician Certification Act.

380:80-5-2. 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 Department of Labor.

"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, hydrogen, 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 40, Section 142.1 through 142.16.

"Alternative fuels equipment trainee" means an individual who is employed by an Oklahoma licensed alternative fuels conversion company to assist an alternative fuels equipment technician and learn to properly convert motor vehicles to operate on alternative fuels and to service and maintain such vehicles.

"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, and/or hydrogen into the fuel tank of a motor vehicle propelled by such fuel and/or a hydrogen fuel cell

including the compression equipment and storage vessels for such fuel at the point where the fuel is delivered.

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

"Hydrogen" means a hydrogen fuel composed of molecular hydrogen intended for consumption in a surface vehicle or mobile electricity production device with an internal combustion engine or fuel cell and includes liquid and gaseous hydrogen.

"Liquefied petroleum gas vehicular fuel systems" 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 liquefied petroleum gas as a fuel to an internal combustion engine or engines.

"LNG" means liquefied natural gas.

"LPG" means liquefied petroleum gas otherwise known as propane and/or propane autogas.

"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.

"Trainee" means an individual who is employed by an Oklahoma licensed company to learn to properly engage in the activities regulated by this Chapter that can engage in any licensed category pursuant to this Chapter while under the direct supervision of an individual holding the appropriate license in the category of activity being performed.

"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.

(C) Hydrogen vehicle components;
(i) tubing;
(ii) fittings;
(iii) valves;
(iv) gauges;
(v) brackets;
(vi) fuel lines;
(vii) cylinders;
(viii) tanks;
(ix) electronic or electrical devices including DC/DC converters;
(x) traction battery packs or modules;
(xi) electric traction motors; and
(xii) fuel cell stacks.

"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.

380:80-5-3. 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 Department of Labor or its designee 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.

380:80-5-4. 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 7. TESTING, CERTIFICATION, AND RECERTIFICATION

380:80-7-1. Applications for examinations, certification or renewal of certification

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

(b) All applications for examination shall be made to a testing facility authorized by the Department of Labor.

(c) All applications shall be accompanied by the appropriate fee as set forth in OAC 380:80-7-4.

380:80-7-2. 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.

380:80-7-3. 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 OAC 380:80-5-2.

380:80-7-4. 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.

(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;

(E) Cashier's check; or

(F) Credit or debit card.

(2) Unguaranteed checks and 2-party checks shall not be accepted.

(3) Payment refunds. All payments received are nonrefundable.

380:80-7-5. Processing and handling of applications and examinations

(a) Applicants for a certificate will first apply for an examination directly to a Department of Labor authorized testing center. Upon passing the appropriate exam, applicants may apply to the Department of Labor for a certificate.

(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) 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.

(7) An oral examination may be administered by prior arrangement.

(8) A minimum score of eighty percent (80%) correct shall be a passing grade for all examinations.

(9) 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 thirty (30) days.

(10) All applicants can petition the agency if they feel the agency's grade was incorrect. An applicant may petition the agency if the applicant disagrees with his or her examination grade issued by the agency.

(11) All decisions of the committee are final, subject to the provisions of the Administrative Procedures Act.

(12) Applicants that pass the examination and are notified by the Department of Labor of such must make arrangements for certification within ninety (90) days of such notification.

(13) If such applicant has not been certified within one year of notification under OAC 380:80-7-5(b)(12), the applicant must retest prior to their certification.

(14) The agency shall enforce the provisions of this section.

(c) Applicants for an alternative fuels trainee certificate shall submit an alternative fuels trainee certificate application directly to the Department of Labor.

380:80-7-6. 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 Agency 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. Alternative fuels equipment technician certifications are issued for the following alternative fuels, each with a separate certification:

(A)Compressed natural gas equipment technician;

(B) Liquefied natural gas equipment technician;

(C) Liquefied petroleum gas equipment technician;

(D) Electric vehicle equipment technician;

(E) Hydrogen alternative fuel equipment technician; and

(F) Liquid alternative fuels, not derived from natural gas, equipment technician.

(2) An alternative fuels compression technician to any person who has been certified by the Agency 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.

(A) Level 1 (Operator) Alternative fuels compression technician certifications are issued for the following alternative fuels, each with a separate certification:

(i) Compressed natural gas compression technician;

(ii) Liquefied natural gas compression technician;

(iii) Liquefied petroleum gas compression technician;

(iv) Hydrogen compression technician; and

(v) Liquid alternative fuels, not derived from natural gas, compression technician.

(B) The training and examination requirements for a Level 1 (Operator) certification shall include, but not be limited to, completing a Level 1 operator training course conducted by an approved training facility with an approved training program, passing an approved Level 1 written exam, and passing an approved Level 1 skills test.

(C) Level 1 licensees shall be permitted to perform routine maintenance upon fill stations, per the fill station manufacturer or component manufacturer's routine maintenance guidelines. Level 1 licensees shall also be permitted to conduct routine safety inspections of fill stations per the fill station manufacturer or component manufacturer's safety inspection guidelines.

(D) Level 2 (Mechanic) Alternative fuels compression technician certifications are issued for the following alternative fuels, each with a separate certification:

(i) Compressed natural gas compression technician;

(ii) Liquefied natural gas compression technician;

(iii) Liquefied petroleum gas compression technician;

(iv) Hydrogen compression technician; and

(v) Liquid alternative fuels, not derived from natural gas, compression technician.

(E) The experience, training, and examination requirements for a Level 2 (Mechanic) certification shall include, but not be limited to:

(i) Possessing at least three total years of experience consisting of:

(I) One year of documentable experience with an associate's degree in Natural Gas Compression; or

(II) One year of documentable experience with approved industry certifications as approved by the Committee; or

(III) Three years of documentable experience without the aforementioned education or industry certification. This requires a signed affidavit from current and/or former employer(s) to verify experience.

(ii) Passing an approved Level 2 written exam.

(iii) Passing an approved Level 2 skills test.

(F) Documentation of experience shall be submitted to the agency with the application.

(G) Level 2 licensees may perform all duties necessary to install, repair, replace, service, inspect, modify, and/or maintain a fill station. Nothing in these rules shall entitle a licensee to perform work without all licenses required by law.

(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 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.

(i) A certificate which has been expired for more than two (2) years shall not be renewed. A valid certificate may be obtained by successful completion of the appropriate examination and/or certification and other licensure requirements.

380:80-7-7. Alternative fuels trainees

(a) An alternative fuels trainee shall be employed by a licensed Oklahoma alternative fuels conversion company or an alternative fuels compression company.

(b) An alternative fuels equipment trainee shall work under the direct supervision of a licensed alternative fuels equipment technician. An alternative fuels compression trainee shall work under the direct supervision of a licensed alternative fuels compression technician.

(c) There shall be no more than two (2) alternative fuels equipment trainees per licensed alternative fuels equipment technician at any licensed Oklahoma alternative fuels conversion company. There shall be no more than two (2) alternative fuels compression trainees per licensed alternative fuels compression technician at any licensed Oklahoma alternative fuels compression company.

(d) An individual that holds a trainee license can engage in any licensed category pursuant to this Chapter while under the direct supervision of an individual holding the appropriate license in the category of activity being performed.

(e) An alternative fuels trainee must submit a trainee application to the Department of Labor within fifteen (15) business days of being hired by a licensed alternative fuels conversion company.

380:80-7-8. 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 in writing of any change in such holders address no later than thirty (30) days of such change.

380:80-7-9. 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 conversion companies, partnerships, or corporations engaged in the installation, modification, repair, maintenance, or renovation 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 one million dollars ($1,000,000.00) general liability, in full force and effect covering the plant, garage, equipment and motor vehicles used in such business. Proof of self insurance by governmental entities 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 may revoke or suspend the certificate.

380:80-7-10. Guidelines for certificate renewal

(a) Each licensee's certificate(s) issued under the agency shall expire on the last day of the licensee's birth month each year.

(b) A late fee of Ten Dollars ($10.00) will be charged one hundred twenty (120) days after the last day of the licensee's birth month. At such time re-testing will be required in order to be certified.

(c) The certification(s) of a licensee renewing his or her certification(s) after September 1, 2015 shall expire on the last day of the licensee's next birth month. The certification fee(s) shall be prorated such that the licensee will pay 1/12 of the annual certification fee(s) for each month from September 2015 up to and including the month of the licensee's birth. The licensee's certification(s) will thereafter expire annually on the last day of the licensee's birth month.

(d) At the time of recertification of a company, partnership, or corporation, proof of insurance coverage will be required as part of the process.

(e) 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.

(f) All applications shall be accompanied by the appropriate fee as set forth in section 380:80-7-4.

SUBCHAPTER 9. STANDARDS FOR ALTERNATIVE FUELS TECHNICIANS – CONVERSION AND COMPRESSION

380:80-9-1. Work of alternative fuels technician by non-certified person

(a) From and after September 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. All advertisements to perform the work of an alternative fuels conversion company must display the company's license number.

(b) Nothing in this Chapter shall prevent a non-certified person from converting the engine of a farm tractor, as defined in s 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.

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

380:80-9-2. 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 its pamphlet No. 58 and are adopted as the standards for this state.

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

(c) The standards for the equipment installation and inspection of hydrogen fuel cell systems and hydrogen in combustion applications adopted by the NFPA are published in its pamphlet No. 2 and are adopted as the standards for this state.

380:80-9-3. 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 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).

(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 OAC 380:80-9-3(d)(1) shall be determined by the Agency.

SUBCHAPTER 11. VIOLATIONS

380:80-11-1. Alternative Fuels Technician Examiners; complaints, investigations, false or fraudulent representation, suspension or revocation of certificate

(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.

(c) The Commissioner of Labor or designee shall suspend or revoke any certificate or registration obtained by false or fraudulent representation.

(d) The Commissioner of Labor or designee 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 General Counsel of the Agency may elect to delegate the investigation to a person or persons of his choice.

(f) Investigations are to be secret until presented to the Committee for recommendations.

(g) Upon the review of the facts of the investigation, the Committee may determine whether or not to hear a case.

(h) The Committee and its activities shall comply with the Administrative Procedures Act.

(i) Any person whose Alternative Fuels Equipment or Compression 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.

380:80-11-2. 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 Commissioner of Labor or designee makes a determination of a violation, it may request the appropriate district attorney to prosecute such violation and seek an injunction against such practice.

380:80-11-3. 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 380:80-9-2;

(2) An OEM alternative fueled vehicle that fails 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.

380:80-11-4. Violations; civil penalties; determination of penalty amount; surrender of certificate in lieu of fine

(a) Any person who has been determined by the Commissioner of Labor or designee 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 ten thousand dollars ($10,000) for any related series of violations.

(c) The amount of the penalty shall be assessed by the Commissioner of Labor or designee pursuant to the provisions of OAC 380:80-11-1, after notice and hearing.

(d) In determining the amount of the penalty, the 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 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.