

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

DRAFT JLL/JLL
SENATE BILL

By: Senator <NA>

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 15 OF
THE ARKANSAS CODE CONCERNING NATURAL RESOURCES AND
ECONOMIC DEVELOPMENT; AND FOR OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE 15
OF THE ARKANSAS CODE CONCERNING NATURAL
RESOURCES AND ECONOMIC DEVELOPMENT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 15-11-704(a), concerning the Wildlife
Observation Trails Pilot Program, is amended to read as follows to clarify
its application:

(a) There is ~~continued~~ created a program to be known as the “Wildlife
Observation Trails Pilot Program”.

SECTION 2. Arkansas Code § 15-11-706(a)(1), concerning the Wildlife
Observation Trails Pilot Program Advisory Board, is amended to read as
follows to clarify its application:

(a)(1) There is ~~continued~~ created an advisory body to the Department
of Parks and Tourism to be known as the “Wildlife Observation Trails Pilot
Program Advisory Board” to provide recommendations to the Director of the
Department of Parks and Tourism and the Arkansas State Game and Fish
Commission to develop criteria to establish and fund the development and
maintenance of wildlife observation trails through the distribution of grant
moneys under this subchapter.

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1
2 SECTION 3. Arkansas Code § 15-13-102(5), concerning the definitions
3 used in the Arkansas Alternative Fuels Development Act, is amended to read as
4 follows to add language for clarification:

5 (5) "Bi-fuel compressed natural gas motor vehicle or school bus"
6 means a motor vehicle or school bus that is powered by compressed natural gas
7 and gasoline or diesel;

8
9 SECTION 4. Arkansas Code § 15-13-102(8), concerning the definitions
10 used in the Arkansas Alternative Fuels Development Act, is amended to read as
11 follows to add language for clarification:

12 (8) "Conversion kit" means a set of supplies, materials, parts,
13 tools, or equipment used to convert a diesel-powered or gasoline-powered
14 motor vehicle or school bus to a dedicated or bi-fuel compressed natural gas
15 motor vehicle or school bus;

16
17 SECTION 5. Arkansas Code § 15-13-102(9), concerning the definitions
18 used in the Arkansas Alternative Fuels Development Act, is amended to read as
19 follows to add language for clarification:

20 (9) "Dedicated compressed natural gas motor vehicle or school
21 bus" means a motor vehicle or school bus that is powered only by compressed
22 natural gas;

23
24 SECTION 6. Arkansas Code § 15-13-204(a)(1), concerning quality
25 determinations and testing under the Arkansas Alternative Fuels Development
26 Act, is amended to read as follows to add language for clarification:

27 (1) Are useable in motor vehicles or school buses;

28
29 SECTION 7. Arkansas Code § 15-13-205 is amended to read as follows to
30 repeal language for clarification:

31 15-13-205. Rules.

32 The Director of the Department of Finance and Administration shall
33 promulgate rules ~~and regulations~~ to provide for the administration of this
34 subchapter.

35
36 SECTION 8. Arkansas Code § 15-13-301 is amended to read as follows to

1 add language that was intended to be merged:

2 15-13-301. Arkansas Alternative Fuels Development Program.

3 (a) The Arkansas Alternative Fuels Development Program is established
4 and shall be developed and administered by the Arkansas Agriculture
5 Department.

6 (b) The program shall include four (4) types of incentives:

7 (1) Capital and operation production incentives for alternative
8 fuels producers;

9 (2) Production incentives for feedstock processors;

10 (3) Distribution incentives for alternative fuels distributors;
11 and

12 (4) Rebate incentives for the costs of converting diesel-powered
13 and gasoline-powered motor vehicles or school buses into dedicated or bi-fuel
14 compressed natural gas motor vehicles or school buses.

15 (c) The incentives under this subchapter are available only for the
16 following after July 1, 2011:

17 (1) Capital investments in alternative fuels production
18 facilities, feedstock processing facilities, or distribution facilities;

19 (2) The production of alternative fuels;

20 (3) The processing of feedstock; or

21 (4) The conversion of diesel-powered and gasoline-powered motor
22 vehicles or school buses to dedicated or bi-fuel compressed natural gas motor
23 vehicles or school buses.

24
25 SECTION 9. Arkansas Code Title 15, Chapter 13, Subchapter 3 is amended
26 to add an additional section specifically tailored for rebate incentives for
27 motor vehicles to read as follows:

28 15-13-307. Rebate incentives for modification by a certified
29 technician of motor vehicles.

30 (a) The Arkansas Alternative Fuels Development Program shall include
31 an incentive program that provides a rebate to a single public entity,
32 company, organization, or its affiliate to assist in the purchase of a
33 conversion kit used to convert a diesel motor vehicle or gasoline motor
34 vehicle to a dedicated or bi-fuel compressed natural gas motor vehicle and to
35 assist in covering the differential and incremental costs associated with the
36 conversion of a diesel motor vehicle or gasoline motor vehicle into a

1 dedicated or bi-fuel compressed natural gas motor vehicle.

2 (b) The Arkansas Agriculture Department shall create a rebate
3 application process for a single public entity, company, organization, or its
4 affiliate to obtain a rebate that shall include:

5 (1) An application for a rebate under this subchapter that
6 includes at a minimum:

7 (A) An affidavit or proof that the motor vehicle is
8 registered in Arkansas or will be registered in Arkansas upon acquisition of
9 the motor vehicle; and

10 (B) Evidence of:

11 (i) The purchase of a dedicated motor vehicle and
12 the differential costs; or

13 (ii) The differential costs or incremental costs
14 associated with the conversion of a diesel motor vehicle or gasoline motor
15 vehicle into a dedicated or bi-fuel compressed natural gas motor vehicle;

16 (2) Instructions about the rebate process;

17 (3) Scoring procedures to determine the award of the rebates;

18 and

19 (4) Other factors that the Secretary of the Arkansas Agriculture
20 Department deems necessary.

21 (c)(1) The department shall prepare an annual progress report on
22 rebates made under this section.

23 (2) The report shall include the:

24 (A) Amount of each rebate;

25 (B) Purpose of the rebate;

26 (C) Total amount expended by the rebate recipient in
27 converting the motor vehicle to a dedicated or bi-fuel compressed natural gas
28 motor vehicle; and

29 (D) Results produced or the progress made statewide in the
30 overall conversion of diesel motor vehicles and gasoline motor vehicles to
31 dedicated or bi-fuel compressed natural gas motor vehicles.

32 (3) The report for each state fiscal year shall be filed by June
33 30 of the following fiscal year with the office of the Governor and the
34 Legislative Council.

35 (d) The rebate to be awarded by the department is the lesser of:

36 (1) Fifty percent (50%) of the cost for the differential costs,

1 conversion kit, and incremental costs of converting to a dedicated or bi-fuel
2 compressed natural gas motor vehicle; or

3 (2) One (1) of the following as determined by weight:

4 (A) Five thousand dollars (\$5,000) for a motor vehicle
5 with a gross vehicle weight rating of not more than eight thousand five
6 hundred pounds (8,500 lbs.);

7 (B) Eight thousand dollars (\$8,000) for a motor vehicle
8 with a gross vehicle weight rating of more than eight thousand five hundred
9 pounds (8,500 lbs.) but not more than fourteen thousand pounds (14,000 lbs.);
10 or

11 (C) Thirty-two thousand dollars (\$32,000) for a motor
12 vehicle with a gross vehicle weight rating of more than twenty-six thousand
13 pounds (26,000 lbs.).

14 (e) A single person, public entity, company, organization, or its
15 affiliates may not receive more than seventy-five thousand dollars (\$75,000)
16 per fiscal year for motor vehicle conversion kit costs, differential costs,
17 and incremental costs.

18 (f) An alternative fuel distributor receiving a grant under § 15-13-
19 304 may receive a rebate under this section.

20
21 SECTION 10. DO NOT CODIFY. The enactment and adoption of this act
22 shall not repeal, expressly or impliedly, the acts passed at the regular
23 session of the Eighty-Ninth General Assembly. All such acts shall have the
24 full force and effect and, so far as those acts intentionally vary from or
25 conflict with any provision contained in this act, those acts shall have the
26 effect of subsequent acts and as amending or repealing the appropriate parts
27 of the Arkansas Code of 1987.