

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Representative Willems**

# A Bill

**HOUSE BILL**

## For An Act To Be Entitled

8 "AN ACT TO PROVIDE GUIDELINES FOR THE CERTIFICATION OF  
9 ALTERNATIVE FUELS TECHNICIANS; TO CREATE THE COMMITTEE OF  
10 ALTERNATIVE FUELS TECHNICIAN EXAMINERS AND THE ALTERNATIVE  
11 FUELS TECHNICIAN BOARD; TO CREATE THE ALTERNATIVE FUELS  
12 TECHNICIAN CERTIFICATION REVOLVING FUND; AND FOR OTHER  
13 PURPOSES."

## Subtitle

16 "TO PROVIDE GUIDELINES FOR THE CERTIFICATION OF  
17 ALTERNATIVE FUELS TECHNICIANS."

18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20  
21 SECTION 1. This act shall be known and may be cited as the "Alternative  
22 Fuels Technician Certification Act".

23  
24 SECTION 2. The purpose and intent of this act is that the State Board  
25 of Vocational and Technical Education develop curriculum for the training of  
26 technicians for the installation and conversion of engines to be fueled by  
27 alternative fuels as the technologies are developed.

28  
29 SECTION 3. As used in the Alternative Fuels Technician Certification  
30 Act:

31 (1) "Alternative fuels" means fuels which result in comparably lower  
32 emissions of oxides of nitrogen, volatile organic compounds, carbon monoxide,  
33 or particulates or any combination thereof and includes compressed natural  
34 gas, liquefied petroleum gas, liquefied natural gas, methanol, ethanol  
35 containing a minimum of seventy percent (70%) by volume, reformulated gasoline

1 and electricity;

2 (2) "Alternative fuels technician" means any person who installs,  
3 modifies, repairs or renovates equipment used in the conversion of any engines  
4 to engines fueled by alternative fuels;

5 (3) "Board" means the Alternative Fuels Technician Hearing Board;

6 (4) "Commission" means the Arkansas Alternative Fuels Commission; and

7 (5) "Committee" means the Committee of Alternative Fuels Technician  
8 Examiners.

9

10 SECTION 4. (a) There is hereby established the Committee of  
11 Alternative Fuels Technician Examiners which shall consist of six (6) members.  
12 All members of the Committee shall be residents of this state.

13 (b) Five (5) voting members of the Committee shall be appointed by the  
14 Arkansas Alternative Fuels Commission as follows:

15 (1) Three (3) members shall be alternative fuels technicians  
16 selected from a list of names submitted by the Vocational and Technical  
17 Education Division of the Department of Education;

18 (2) One (1) member shall be a person involved in compressed  
19 natural gas technology in an oil or gas industry; and

20 (3) One (1) member shall be a person involved in liquefied  
21 petroleum gas technology in an oil or gas industry.

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

25 (1) One (1) alternative fuels technician shall be appointed for  
26 a term of two (2) years;

27 (2) One (1) alternative fuels technician shall be appointed for  
28 a term of three (3) years;

29 (3) One (1) alternative fuels technician shall be appointed for  
30 a term of four (4) years;

31 (4) One (1) person involved in compressed natural gas technology  
32 in an oil or gas industry shall be appointed for a term of three (3) years;  
33 and

34 (5) One (1) person involved in liquefied petroleum gas  
35 technology in an oil or gas industry shall be appointed for a term of four (4)

1 years.

2           (6)    Thereafter, each voting member of the Committee shall be  
3 appointed for a term of five (5) years, or until their successors are  
4 appointed and qualified.

5           (d)    A nonvoting member shall be designated by the Commission from the  
6 staff of the Commission to serve as Program Administrator and Recording  
7 Secretary to the Committee.

8           (e)    Vacancies which may occur in the membership of the Committee shall  
9 be filled by appointment of the Commission. Each person who has been  
10 appointed to fill a vacancy shall serve for the remainder of the term for  
11 which the member he succeeds was appointed and until his successor has been  
12 appointed and has qualified.

13          (f)    The Committee shall assist and advise the Commission on all  
14 matters relating to the formulation of rules and standards in accordance with  
15 the Alternative Fuels Technician Certification Act. The Committee shall  
16 administer the examinations of applicants for certification as alternative  
17 fuels technicians provided that such examinations shall be in accordance with  
18 the provisions of the Alternative Fuels Technician Certification Act.

19          (g)    All members of the Committee shall be reimbursed for reasonable  
20 expenses incurred while in the performance of their duties to the extent  
21 monies are appropriated therefor.

22          (h)    A majority of the total membership of the Committee shall  
23 constitute a quorum for the transaction of business.

24

25          SECTION 5. (a) Examinations for certification as alternative fuels  
26 technicians shall be uniform and practical in nature for alternative fuels  
27 technician certification and shall be sufficiently strict to test the  
28 qualifications and fitness of the applicants for certificates. Examinations  
29 shall be in whole or in part in writing. The Committee shall conduct  
30 examinations twice a year and at such other times as it deems necessary.

31          (b)    Any applicant initially failing to pass the examination shall not  
32 be permitted to take another examination for a period of thirty (30) days.  
33 Any applicant subsequently failing to pass the examination shall not be  
34 permitted to take another examination for a period of ninety (90) days.

35          (c)    The Commission and the Committee shall jointly enforce the

1 provisions of this section.

2

3 SECTION 6. (a) The Commission shall issue a certificate as an  
4 alternative fuels technician to any person who:

5 (1) Has been licensed by the Commission and has successfully  
6 passed the appropriate examination as provided in the Alternative Fuels  
7 Technician Certification Act; or

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

13 (3) Has paid the certification fee and otherwise complied with  
14 the provisions of the Alternative Fuels Technician Certification Act.

15 (b) All alternative fuels technician certificates shall be  
16 nontransferable and it shall be unlawful for any person certified pursuant to  
17 the provisions of the Alternative Fuels Technician Certification Act to loan  
18 or allow the use of such certificate by any other person, except as  
19 specifically provided in the Alternative Fuels Technician Certification Act.

20 (c) The standards for the storage and handling of liquefied petroleum  
21 gases adopted by the National Fire Protection Association and published in the  
22 latest edition of its Pamphlet Number 58 and the standards for the  
23 installation of compressed natural gas vehicular fuel systems adopted by the  
24 National Fire Protection Association and published in its Pamphlet Number 52  
25 shall be the accepted standards for this state. The Commission is authorized,  
26 and it shall be its duty to adopt and promulgate such rules or specifications  
27 relating to safety in the manufacture, assembly, sale, installation and use of  
28 vehicular alternative fuel systems. The Commission is further authorized to  
29 modify or amend such rules or specifications as it deems reasonable and  
30 necessary.

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32 SECTION 7. (a) All applications for examination, certification or  
33 renewal of certification shall be made in writing to the Commission on forms  
34 provided, if necessary, by the Commission. All applications shall be  
35 accompanied by the appropriate fee.

1 (b) The following shall be the fees charged under the Alternative  
2 Fuels Technician Certification Act:

3	Alternative Fuels Technician Examination	\$50.00
4	Alternative Fuels Technician Certificate	\$50.00
5	Certificate renewal, if made within thirty (30) days after expiration:	
6	Alternative Fuels Technician Certificate	\$50.00
7	Penalty for Late Certification Renewal:	
8	Alternative Fuels Technician Certificate	\$10.00

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10 SECTION 8. (a) The Commission and the Committee shall act as the  
11 Alternative Fuels Technician Hearing Board.

12 (b) The Alternative Fuels Technician Hearing Board may, upon its own  
13 motion, and shall, upon written complaint filed by any person, investigate the  
14 business transactions of any certified alternative fuels technician. The  
15 Board shall suspend or revoke any certificate or registration obtained by  
16 false or fraudulent representation. The Board shall also suspend or revoke  
17 any certificate or registration for any of the following:

- 18 (1) Making a material misstatement in the application for a  
19 certificate or registration, or the renewal of a certificate or registration;
- 20 (2) Loaning or illegally using a certificate;
- 21 (3) Demonstrating incompetence to act as an alternative fuels  
22 technician;
- 23 (4) Violating any provisions of the Alternative Fuels Technician  
24 Certification Act, or any rule or order prescribed by the Commission; or
- 25 (5) Willfully failing to perform normal business obligations  
26 without justifiable cause.

27 (c) Any person whose alternative fuels technician certificate has been  
28 revoked by the Alternative Fuels Technician Hearing Board may apply for a new  
29 certificate one (1) year from the date of such revocation.

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31 SECTION 9. The Commission and the Board shall jointly adopt rules and  
32 guidelines for the expiration of alternative fuels technician certificates and  
33 for determining the recertification of alternative fuels technicians.

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35 SECTION 10. Any holder of a certificate or registration issued in

1 accordance with the provisions of the Alternative Fuels Technician  
2 Certification Act shall promptly notify the Commission of any change in such  
3 holder\_s address.

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5 SECTION 11. All monies received by the Commission under the Alternative  
6 Fuels Technician Certification Act shall be deposited with the State Treasurer  
7 and credited to the "Alternative Fuels Technician Certification Revolving  
8 Fund" which is hereby created on the books of the State Treasury, State  
9 Auditor and Chief Fiscal Officer of the State. Expenditures from this fund  
10 shall be made pursuant to the purposes of the Alternative Fuels Technician  
11 Certification Act and shall include, but not be limited to, payment of  
12 operating costs and the costs of programs designed to promote public awareness  
13 of the alternative fuels industry, and expenditures for the preparation and  
14 printing of regulations, bulletins or other documents and the furnishing of  
15 copies of such documents to those persons engaged in the alternative fuels  
16 industry or the public.

17

18 SECTION 12. Any person who violates any provision of this act shall be  
19 guilty of a misdemeanor and subject to the imprisonment not to exceed six (6)  
20 months, or a fine not to exceed ten thousand dollars (\$10,000), or both.

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22 SECTION 13. All provisions of this act of a general and permanent  
23 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
24 Code Revision Commission shall incorporate the same in the Code.

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26 SECTION 14. If any provision of this act or the application thereof to  
27 any person or circumstance is held invalid, such invalidity shall not affect  
28 other provisions or applications of the act which can be given effect without  
29 the invalid provision or application, and to this end the provisions of this  
30 act are declared to be severable.

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32 SECTION 15. All laws and parts of laws in conflict with this act are  
33 hereby repealed.

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