

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: S2/25/25

A Bill

SENATE BILL 267

By: Senator Irvin

By: Representative J. Moore

For An Act To Be Entitled

AN ACT TO REPEAL THE ARKANSAS ALTERNATIVE MOTOR FUEL DEVELOPMENT ACT; TO REPEAL THE ALTERNATIVE MOTOR FUEL DEVELOPMENT FUND; AND FOR OTHER PURPOSES.

Subtitle

TO REPEAL THE ARKANSAS ALTERNATIVE MOTOR FUEL DEVELOPMENT ACT; AND TO REPEAL THE ALTERNATIVE MOTOR FUEL DEVELOPMENT FUND.

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

SECTION 1. Arkansas Code Title 15, Chapter 10, Subchapter 9, is repealed.

~~Subchapter 9—Arkansas Alternative Motor Fuel Development Act~~

~~15-10-901.—Title.~~

~~This subchapter shall be known and may be cited as the “Arkansas Alternative Motor Fuel Development Act”.~~

~~15-10-902.—Definitions.~~

~~As used in this subchapter:~~

~~(1) “Compressed natural gas” means compressed natural gas that is to be delivered to a motor vehicle at a pressure of at least three thousand pounds per square inch (3,000 psi);~~

~~(2) “Compressed natural gas refueling station” means property that:~~

~~(A) Is directly related to the delivery of compressed~~



~~natural gas into the fuel tank of a licensed motor vehicle, including without limitation the compression equipment, storage vessels, quality control equipment, and dispensers for compressed natural gas;~~

~~(B) Is available to the public twenty four (24) hours each day;~~

~~(C) Is metered on a gasoline gallon equivalent basis; and~~

~~(D) Contains a credit card reader that allows for the use of a credit card or debit card to purchase the compressed natural gas;~~

~~(3) "Diesel gallon equivalent" means six and twenty two hundredths pounds (6.22 lbs.) of liquefied natural gas;~~

~~(4) "Electric vehicle" means a plug-in electric drive motor vehicle that is propelled by one (1) or more electric motors using electrical energy stored in rechargeable batteries or other energy storage devices;~~

~~(5) "Gasoline gallon equivalent" means five and sixty six hundredths pounds (5.66 lbs.) of compressed natural gas or one hundred twenty six and sixty seven hundredths cubic feet (126.67 cu. ft.) of natural gas;~~

~~(6) "Liquefied natural gas" means natural gas that is super-cooled into a liquid fuel that is used primarily in medium-duty and heavy-duty vehicles;~~

~~(7) "Liquefied natural gas refueling station" means property that:~~

~~(A) Is directly related to the delivery of liquefied natural gas into the fuel tank of a licensed motor vehicle, including without limitation the compression equipment, refrigeration equipment, storage vessels, and dispensers for liquefied natural gas;~~

~~(B) Is available to the public twenty four (24) hours each day;~~

~~(C) Is metered on a diesel gallon equivalent basis; and~~

~~(D) Contains a credit card reader that allows for the use of a credit card or debit card to purchase the liquefied natural gas;~~

~~(8)(A) "Liquefied petroleum gas" means gas derived from petroleum or natural gas that is:~~

~~(i) In a gaseous state at normal atmospheric temperature and pressure but may be maintained in a liquid state at normal atmospheric temperature by the application of sufficient pressure; and~~

~~(ii) Normally stored as a liquid under pressure.~~

~~(B) "Liquefied petroleum gas" does not include pentane, gasoline, or oil;~~

~~(9) "Liquefied petroleum gas refueling station" means property that:~~

~~(A) Is directly related to the delivery of liquefied petroleum gas into the fuel tank of a licensed motor vehicle, including without limitation the compression equipment, storage vessels, and dispensers for liquefied petroleum gas;~~

~~(B) Is available to the public twenty four (24) hours each day;~~

~~(C) Is metered on a gasoline gallon equivalent basis; and~~

~~(D) Contains a credit card reader that allows for the use of a credit card or debit card to purchase the liquefied petroleum gas;~~

~~(10) "Motor vehicle" means a motor vehicle licensed under the laws of this state or another state that was originally designed by the manufacturer to operate lawfully and principally on highways, roads, and streets;~~

~~(11) "Private electric vehicle charging station" means a charging station of two hundred forty volts (240 V) or less that is purchased for private use and supplies electricity for charging one (1) or more electric vehicles;~~

~~(12) "Public electric vehicle charging station" means a charging station of two hundred forty volts (240 V) or more that:~~

~~(A) Supplies electricity for charging one (1) or more electric vehicles;~~

~~(B) Is available to the public twenty four (24) hours a day; and~~

~~(C) Contains a credit card reader that allows for the use of a credit card or debit card to purchase electricity;~~

~~(13) "Qualified alternative motor vehicle fuel" means electricity, a hydrogen fuel cell, compressed natural gas, liquefied natural gas, or liquefied petroleum gas; and~~

~~(14) "Qualified alternative motor vehicle property" means:~~

~~(A) New equipment that:~~

~~(i) Is installed;~~

- ~~(a) By a certified mechanic;~~
- ~~(b) On a motor vehicle with a model year that is no older than one (1) model year older than the current year; and~~
- ~~(c) To convert a motor vehicle propelled by gasoline or diesel fuel to be propelled by a qualified alternative motor vehicle fuel;~~
 - ~~(ii) Is approved by the United States Environmental Protection Agency under 40 C.F.R. Part 85 Subpart F, 40 C.F.R. § 85.501 et seq., and 40 C.F.R. Part 86 Subpart S, 40 C.F.R. § 86.1801-01 et seq.; and~~
 - ~~(iii) Has not been used to modify or retrofit any other motor vehicle propelled by gasoline or diesel fuel;~~
- ~~(B) The portion of the basis of a motor vehicle with a model year that is no older than one (1) model year older than the current year and that was originally equipped to be propelled by a qualified alternative motor vehicle fuel that is attributable to the:
 - ~~(i) Storage of the qualified alternative motor vehicle fuel;~~
 - ~~(ii) Delivery of the qualified alternative motor vehicle fuel to the motor vehicle's engine; and~~
 - ~~(iii) Exhaust of gases from the combustion of the qualified alternative motor vehicle fuel; or~~~~
- ~~(C) New property that:
 - ~~(i) Is directly related to the:
 - ~~(a) Compression and delivery of natural gas from a private home or residence for noncommercial purposes into the fuel tank of a motor vehicle propelled by compressed natural gas; or~~
 - ~~(b) Delivery of electricity from a private home or residence for noncommercial purposes into a motor vehicle propelled by electricity; and~~~~
 - ~~(ii) Has not been previously installed or used at another location to refuel motor vehicles powered by natural gas or electricity.~~~~

~~15-10-903. Rebate for refueling stations.~~

- ~~(a)(1) The Arkansas Energy Office of the Division of Environmental Quality may offer a rebate for each approved private electric vehicle~~

~~charging station, public electric vehicle charging station, compressed natural gas refueling station, liquefied natural gas refueling station, and liquefied petroleum gas refueling station that is:~~

~~(A) Not more than seventy five percent (75%) of the qualifying costs of the compressed natural gas refueling station, liquefied natural gas refueling station, or liquefied petroleum gas refueling station, not to exceed four hundred thousand dollars (\$400,000);~~

~~(B) Not more than fifty percent (50%) of the eligible equipment purchase and installation cost of the private electric vehicle charging station, not to exceed nine hundred dollars (\$900); or~~

~~(C) Not more than fifty percent (50%) of the eligible equipment purchase and installation cost of the public electric vehicle charging station, not to exceed five thousand dollars (\$5,000).~~

~~(2) The Director of the Division of Environmental Quality may increase the rebate percentages listed under subdivision (a)(1) of this section if the increase is designated or authorized by a funding source approved by a federal settlement or state settlement.~~

~~(b) A rebate offered under this section does not apply to any of the following:~~

~~(1) The cost of land for the private electric vehicle charging station, public electric vehicle charging station, compressed natural gas refueling station, liquefied natural gas refueling station, or liquefied petroleum gas refueling station;~~

~~(2) The cost of any buildings for the private electric vehicle charging station, public electric vehicle charging station, compressed natural gas refueling station, liquefied natural gas refueling station, or liquefied petroleum gas refueling station; and~~

~~(3) Any costs not directly associated with the compression, storage, or dispensing of compressed natural gas, or the storage and dispensing of liquefied natural gas or liquefied petroleum gas, or the dispensing of electricity.~~

~~(c) To be eligible for a rebate under this section, a person or entity shall complete and submit an application for the rebate on the forms prescribed by the office.~~

~~(d) The office shall ensure that the following criteria are met before providing a rebate under this section:~~

~~(1) The applicant is registered as a business entity in good standing with the Secretary of State;~~

~~(2) The dispenser at the compressed natural gas refueling station, liquefied natural gas refueling station, or liquefied petroleum gas refueling station has been inspected and certified by the State Division of Weights and Measures of the Arkansas Bureau of Standards of the State Plant Board or a registered service agency of the division;~~

~~(3) The dispenser at the private electric vehicle charging station or public electric vehicle charging station has been inspected and is in compliance with the rules promulgated by the office and any other applicable laws;~~

~~(4) The applicant for a rebate on a compressed natural gas refueling station, liquefied natural gas refueling station, or liquefied petroleum gas refueling station meets the siting requirements stated in the National Fire Protection Association's NFPA 52: Vehicular Natural Gas Fuel Systems Code, 2016 Edition; and~~

~~(5) The applicant for a rebate on a private electric vehicle charging station or public electric vehicle charging station meets the siting requirements stated in the National Fire Protection Association's NFPA 70: National Electrical Code, 2017 Edition.~~

~~15-10-904. Rebates for qualified alternative motor vehicle property.~~

~~(a) The Arkansas Energy Office of the Division of Environmental Quality may offer a rebate for qualified alternative motor vehicle property that is:~~

~~(1) Not more than fifty percent (50%) of the cost of the qualified alternative motor vehicle property, not to exceed four thousand five hundred dollars (\$4,500) for each motor vehicle that is powered by hydrogen fuel cell, compressed natural gas, liquefied natural gas, or liquefied petroleum gas; and~~

~~(2) Not more than fifty percent (50%) of the cost of the qualified alternative motor vehicle property, not to exceed two thousand five hundred dollars (\$2,500) for each qualified alternative motor vehicle property that is powered by electricity.~~

~~(b) The Director of the Division of Environmental Quality may increase the rebate percentages listed under subsection (a) of this section if the~~

~~increase is designated or authorized by a funding source approved by a federal settlement or state settlement.~~

SECTION 2. Arkansas Code § 19-5-1249 is repealed.

~~19-5-1249. Alternative Motor Fuel Development Fund.~~

~~(a) There is created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a miscellaneous fund to be known as the "Alternative Motor Fuel Development Fund".~~

~~(b) The fund shall consist of:~~

~~(1) Grants made by a person, entity, or federal government agency;~~

~~(2) Other funds that become available through energy programs;~~

~~(3) Any remaining fund balances carried forward from year to year; and~~

~~(4) Any other funds authorized or provided by law.~~

~~(c) The fund shall be used by the Division of Environmental Quality to provide rebates and incentives under the Arkansas Alternative Motor Fuel Development Act, § 15-10-901 et seq.~~

~~(d) Moneys remaining in the fund at the end of each fiscal year shall carry forward and be made available for the purposes stated in this section in the next fiscal year.~~

/s/ Irvin

APPROVED: 3/12/25