

June 2, 2022

Rules Coordinator
Railroad Commission of Texas
Office of General Counsel
Via email: rulescoordinator@rrc.texas.gov

**RE: Comments on proposed rule for Senate Bill 1668 (SB 1668),
87th Texas legislative session**

Dear Commissioners and Railroad Commission Rules Coordinator:

Thank you for considering comments submitted on behalf of my client Tractor Supply Company with regard to the proposed rule published for SB 1668 passed during the 87th Texas legislative session.

Summary of overall revisions needed to the proposed rule for SB 1668

- 1) Provide a deadline for the Railroad Commission (RRC or Commission) to send applicants a certificate once a complete application has been submitted to RRC. We have suggested 10 business days for RRC to send out the certificate after receiving the completed application. However, if the 10 day timeframe cannot be met, allow the test score and application submitted, or the receipt thereof, to be used as a temporary certificate to give the RRC staff time to comply.
- 2) Clarify the language to ensure that ASME mounted mobile tanks (primarily used for cooking) are also included as they are already included in the Propane Education Research Council (PERC) and PERC based training provided for in the bill that relates to cylinders.
- 3) Remove the new and never intended in the law requirement for outside trainer certification. Instead, the Alternative Fuel Services (AFS) division of the RRC should review and approve any PERC based training and exam materials submitted by a licensed retailer annually so that the licensed retailer may directly administer the online training and exam, wherein an outside instructor is not necessary. PERC does not require an outside instructor and it is not required in the proposed rule for use of PERC materials. In addition to the PERC-based training and testing, Tractor Supply Company includes hands-on safety training to ensure all safety parameters are not only met, but exceeded, even though the RRC does not require this in their own training.

Proposed comments

SB 1668 is a straightforward bill that eliminates unnecessary regulatory barriers to obtain a certificate to safely refill propane containers. There is currently a severe shortage of certified individuals who are allowed to refill containers in Texas. The bill states that additional requirements under statute for certificates to fill cylinders shall be waived by the Commission if

applicants complete training consistent with PERC guidelines and submit proof of the completion of training, submit an application, pay a fee, and complete an examination in one of three ways. The multiple pages of proposed rules go well beyond the intent and bounds of the bill by adding an additional layer of certification by the Commission as an outside trainer. Further, it does not include any deadline by which the Commission is to issue a certificate to an applicant who has submitted a completed application, thus we propose that certificates be issued within 10 business days of receipt of a completed application by the RRC. If a certificate cannot be issued within 10 days through no fault of the applicant, we strongly suggest a temporary certificate be allowed whether it's the successful test score, or the paid application fee. Having no timeline, or the current RRC timeline of four to nine weeks, is not acceptable. Finally, clarification is needed to ensure that both cylinders and ASME mounted motor/mobile fuel tanks, which are covered in the PERC training already, will be allowed under this certificate. The intent was to cover the ASME mounted propane tanks primarily used for cooking and frequently seen on RV's, which is covered in the PERC and PERC based training already in the bill and that will be approved for use.

The PERC training and PERC based training is available in an online format for both the training courses and the examination. The intent of the bill was to allow applicants to satisfy the training and examination requirements by RRC to hold a certificate to refill propane with these more readily available online courses and testing. The rule must reflect the same. It is unnecessary and overly burdensome to require training and certification of an outside instructor who would simply administer an online class and exam where no additional instruction is necessary or required by PERC. Instead of the outside trainer, which was never intended or contemplated in the legislation, we propose having the AFS division of the RRC approve annually the PERC based training to be administered online by a licensed retailer. We understand that under option 1 in the rule draft, the direct online PERC training and examination may be administered by anyone without a certified instructor, thus it is clear that an instructor is not necessary. The PERC based training is word for word PERC content that may be rebranded by a company administering the training using an exam that includes the PERC content. Approval by AFS of the PERC based training would be more than sufficient to ensure that the necessary content is being administered. The specific proposed revisions in line with these comments are in the attached redlined version of the proposed rule, with a clean version showing the accepted proposed revisions attached as well.

We ask that the RRC accept the proposed changes attached and adopt the rule as revised.

Sincerely,



Elizabeth Hadley

Enclosures

cc: Kent Knutson, Vice-President Government Relations, Tractor Supply Company
The Honorable Bryan Hughes, Texas State Senator
The Honorable John Raney, Texas State Representative

**CLEAN VERSION OF REDLINED
RULE REVISIONS**

§9.20. DOT Cylinder Filler and Motor/Mobile Tank Filler Certificate Exemption.

An individual may perform work and directly supervise LP-gas activities requiring contact with LP-gas if the individual is granted the DOT Cylinder Filler and Motor/Mobile Tank Filler Certificate Exemption. The exemption may be obtained by completing the Dispensing Propane Safely course, including examination, and complying with paragraph (1) of this section or by completing PERC based online training and examination in accordance with paragraph (2) of this section:

(1) DOT Cylinder Filler and Motor/Mobile Tank Filler Certificate Exemption through PERC.

(A) To be granted a DOT Cylinder Filler and Motor/Mobile Tank Filler Certificate Exemption through PERC, the applicant shall:

(i) submit a properly completed LPG Form 16P;

(ii) submit a legible copy of the PERC certificate of completion, which shall:

(I) indicate that the Dispensing Propane Safely course has been completed, including a copy of the transcript listing the Filling Cylinders by Weight examination was completed;

(II) be issued to the individual listed on LPG Form 16P; and

(III) have a completion date after July 18, 2022, and within six months of the date the LPG Form 16P is submitted;

(iii) submit a legible copy of a state-issued identification card or driver's license, including a photo; and

(iv) pay a \$40 registration fee.

(B) AFS will review the application to verify all requirements have been met.

(i) If errors are found or information is missing on the application or other documents, AFS shall notify the applicant of the deficiencies in writing.

(ii) The applicant must respond with the required information and/or documentation within 30 days of the written notice. Failure to respond by the deadline will result in withdrawal of the application.

(iii) If all requirements have been met, the individual will become a certificate holder and AFS shall send a certificate to the licensee within 10 business days.

(2) DOT Cylinder Filling and Motor/Mobile Tank Filler Certificate Exemption through PERC based online training.

(A) Any individual who completes an approved PERC based course administered by a licensed retailer using PERC based materials approved annually by AFS will be granted a DOT

Cylinder Filler and Motor/Mobile Tank Filler Certificate Exemption provided the licensed retailer submits the materials in section (1)(A)(i), (iii), and (iv) above along with proof of completion of the PERC based training and examination. The course shall include training and examination. If all requirements have been met, the individual will become a certificate holder and AFS shall send a certificate to the licensee listed on the submitted report.

(B) AFS may refuse to issue or renew a certificate for an individual who presents for credit an unapproved course; or a course using unapproved, incomplete, or incorrect materials.

(3) The DOT Cylinder Filling and Motor/Mobile Tank Filler Certificate Exemption does not become effective until the certificate is issued by AFS, which shall be within 10 business days of receipt of the completed application and submission of materials.

(4) Certificate holders issued a DOT Cylinder Filler and Motor/Mobile Tank Filler Certificate exemption shall comply with the rules in this chapter, including the following rules:

(A) §9.135 of this title (relating to Unsafe or Unapproved Containers, Cylinders, or Piping);

(B) §9.136 of this title (relating to Filling of DOT Containers);

(C) §9.137 of this title (relating to Inspection of Cylinders at Each Filling);

(D) §9.141(d) and (g) of this title (relating to Uniform Safety Requirements); and

(E) the entry for NFPA 58 §7.4.3.1 in the Figure in §9.403 of this title (relating to Sections in NFPA 58 Not Adopted by Reference, and Adopted with Changes or Additional Requirements).

(5) Under the DOT Cylinder Filler and Motor/Mobile Tank Filler certificate exemption individuals may only fill US DOT cylinders by weight with this exemption, and ASME mounted motor/mobile fuel tanks by volume, and universal cylinders, commonly used on forklifts and floor buffers, may be filled by volume using filling procedures required by §9.136 of this title (relating to Filling of DOT Containers).

(6) Individuals who will fill containers mounted on a vehicle for mobile or motor fuel are also exempted from the requirements of §9.8(c) of this title if they have completed the Dispensing Propane Safely course or approved PERC Based online training in accordance with Section 1 or 2 above.

(7) The certificate accrues to the individual and is nontransferable. An individual who has been issued a certificate shall make the certificate readily available and shall present it to any Commission employee or agent who requests proof of certification.

(8) Each individual shall:

(A) comply with all applicable continuing education requirements in §9.51 and §9.52 of this title (relating to General Requirements for LP-Gas Training and Continuing Education, and Training and Continuing Education, respectively);

(B) comply with renewal requirements in §9.9 of this title (relating to Requirements for Certificate Holder Renewal); and

(C) be employed by a licensee or a license-exempt entity in accordance with §9.7 of this title (relating to Application for Licenses, Manufacturer Registrations, and Renewals.

(9) Failure to comply with the renewal requirements in §9.9 of this title shall result in the expiration of the certificate. If an individual's exemption has been expired for more than two years, that individual shall complete all requirements necessary to apply for a new certificate.

(10) A military service member, military veteran, or military spouse shall be exempt from the original registration fee pursuant to the requirements in §9.14 of this title (relating to Military Fee Exemption). An individual who receives a military fee exemption is not exempt from renewal fees specified in §9.9 of this title.

(11) Licensed retailers administering online PERC based training and examinations must submit the following to AFS annually for the PERC based course to be administered :

(A) a description of the course;

(B) the course curriculum;

(C) course examination materials; and

(D) links to or digital copies of any videos included in the course curriculum or examination materials.

(i) Curriculum standards. The course curriculum must be consistent with the guidelines established by the PERC Dispensing Propane Safely course and shall also include training on the requirements listed in §9.20(4) of this title (relating to DOT Cylinder Filler and Motor/Mobile Tank Filler Certificate Exemption).

(ii) AFS review. AFS shall review the application for approval of PERC based training and, within 14 business days of the date AFS receives the application, shall notify the licensed retailer in writing that the application is approved, denied, or incomplete.

**REDLINE REVISIONS TO
PROPOSED RULE**

§9.20. DOT Cylinder Filler and Motor/Mobile Tank Filler Certificate Exemption.

An individual may perform work and directly supervise LP-gas activities requiring contact with LP-gas if the individual is granted the DOT Cylinder Filler and Motor/Mobile Tank Filler Certificate Exemption. The exemption may be obtained by completing the Dispensing Propane Safely ~~—Small Cylinder~~ course, including examination, and complying with paragraph (1) of this section or by completing PERC based online training and examination in accordance with paragraph (2) of this section: or by completing PERC outside instructor training and examination in accordance with paragraph (2) of this section.

(1) DOT Cylinder Filler and Motor/Mobile Tank Filler Certificate Exemption through PERC.

(A) To be granted a DOT Cylinder Filler and Motor/Mobile Tank Filler Certificate Exemption through PERC, the applicant shall:

(i) submit a properly completed LPG Form 16P;

(ii) submit a legible copy of the PERC certificate of completion, which shall:

(I) indicate that the Dispensing Propane Safely ~~—Small Cylinder~~ course has been completed, including a copy of the transcript listing the Filling Cylinders by Weight examination was completed;

(II) be issued to the individual listed on LPG Form 16P; and

(III) have a completion date after July 18, 2022, and within six months of the date the LPG Form 16P is submitted;

(iii) submit a legible copy of a state-issued identification card or driver's license, including a photo; and

(iv) pay a \$40 registration fee.

(B) AFS will review the application to verify all requirements have been met.

(i) If errors are found or information is missing on the application or other documents, AFS shall notify the applicant of the deficiencies in writing.

(ii) The applicant must respond with the required information and/or documentation within 30 days of the written notice. Failure to respond by the deadline will result in withdrawal of the application.

(iii) If all requirements have been met, the individual will become a certificate holder and AFS shall send a certificate to the licensee within 10 business days.

(2) DOT Cylinder Filling and Motor/Mobile Tank Filler Certificate Exemption through PERC based online training ~~—Outside Instructor~~.

(A) Any individual who completes an approved PERC based course ~~under the supervision of a PERC outside instructor~~ administered by a licensed retailer using PERC based materials approved annually by AFS will be granted a DOT Cylinder Filler and Motor/Mobile Tank Filler Certificate Exemption provided the ~~PERC outside instructor~~ licensed retailer submits the materials in section (1)(A)(i), (iii), and (iv) above along with proof of completion of the PERC based training and examination. ~~the report as required in §9.55(j) of this title (relating to PERC Outside Instructor Training).~~ The course shall include training and examination. ~~The examination shall be proctored by a PERC outside instructor.~~ If all requirements have been met, the individual will become a certificate holder and AFS shall send a certificate to the licensee listed on the ~~PERC outside instructor's~~ submitted report.

(B) AFS may refuse to issue or renew a certificate for an individual who presents for credit an unapproved course; ~~a course from an unapproved PERC outside instructor;~~ or a course using unapproved, incomplete, or incorrect materials.

(3) The DOT Cylinder Filling and Motor/Mobile Tank Filler Certificate Exemption does not become effective until the certificate is issued by AFS, which shall be within 10 business days of receipt of the completed application and submission of materials.

(4) Certificate holders issued a DOT Cylinder Filler and Motor/Mobile Tank Filler Certificate exemption shall comply with the rules in this chapter, including the following rules:

(A) §9.135 of this title (relating to Unsafe or Unapproved Containers, Cylinders, or Piping);

(B) §9.136 of this title (relating to Filling of DOT Containers);

(C) §9.137 of this title (relating to Inspection of Cylinders at Each Filling);

(D) §9.141(d) and (g) of this title (relating to Uniform Safety Requirements); and

(E) the entry for NFPA 58 §7.4.3.1 in the Figure in §9.403 of this title (relating to Sections in NFPA 58 Not Adopted by Reference, and Adopted with Changes or Additional Requirements).

(5) ~~Under T~~ the DOT ~~C~~ylinder ~~F~~iller and Motor/Mobile Tank Filler certificate exemption ~~does not include the motor/mobile fuel filler certificate.~~ Individuals may only fill US DOT cylinders by weight with this exemption, and ASME mounted motor/mobile fuel tanks by volume, and ~~U~~ universal cylinders, commonly used on forklifts and floor buffers, may be filled by volume using filling procedures required by §9.136 of this title (relating to Filling of DOT Containers).

(6) Individuals who will fill containers mounted on a vehicle for mobile or motor fuel ~~must meet~~ are also exempted from the requirements of §9.8(c) of this title ~~(relating to Requirements and Application for a New Certificate).~~ if they have completed the Dispensing Propane Safety course or approved PERC Based online training in accordance with Section 1 or 2 above.

(7) The certificate accrues to the individual and is nontransferable. An individual who has been issued a certificate shall make the certificate readily available and shall present it to any Commission employee or agent who requests proof of certification.

(8) Each individual shall:

(A) comply with all applicable continuing education requirements in §9.51 and §9.52 of this title (relating to General Requirements for LP-Gas Training and Continuing Education, and Training and Continuing Education, respectively);

(B) comply with renewal requirements in §9.9 of this title (relating to Requirements for Certificate Holder Renewal); and

(C) be employed by a licensee or a license-exempt entity in accordance with §9.7 of this title (relating to Application for Licenses, Manufacturer Registrations, and Renewals.

(9) Failure to comply with the renewal requirements in §9.9 of this title shall result in the expiration of the certificate. If an individual's exemption has been expired for more than two years, that individual shall complete all requirements necessary to apply for a new certificate.

(10) A military service member, military veteran, or military spouse shall be exempt from the original registration fee pursuant to the requirements in §9.14 of this title (relating to Military Fee Exemption). An individual who receives a military fee exemption is not exempt from renewal fees specified in §9.9 of this title.

~~§9.55. PERC Outside Instructor Training.~~

~~(a) General. AFS may award training and certification or continuing education credit to DOT cylinder filling employee level applicants and certificate holders for courses administered by a PERC outside instructor provided the PERC outside instructor complies with the requirements of this section.~~

~~————(1) PERC outside instructors may only offer training consistent with the guidelines established by the PERC Dispensing Propane Safety – Small Cylinder course.~~

~~————(2) The PERC outside instructor may train individuals using recorded video materials approved under this section but shall proctor the course examination. The PERC outside instructor may proctor an exam in person or using live video.~~

~~————(3) PERC outside instructors shall be employed by a company licensed to perform DOT cylinder filling activities.~~

~~————(4) LP gas licensees may offer courses to their own employees provided that the PERC outside instructor complies with the requirements of this section.~~

~~- (5) All PERC outside instructor curriculum and course materials shall:~~

~~————(A) meet the requirements of subsection (c) of this section;~~

~~_____ (B) be submitted to AFS for review; and~~

~~_____ (C) be organized and easily readable.~~

~~(b) Application process. PERC outside instructor applicants shall submit to AFS:~~

~~_____ (1) the form prescribed by AFS for the PERC outside instructor application;~~

~~_____ (2) a non-refundable \$300 registration fee;~~

~~(3)(11)~~ Licensed retailers administering online PERC based training and examinations must submit the following to AFS annually for the PERC based course to be administered taught:

(A) a description of the course;

(B) the course curriculum, consistent with the requirements of subsection (c) of this section;

(C) course examination materials; and

(D) links to or digital copies of any videos included in the course curriculum or examination materials.;

~~(4) proof that the PERC outside instructor applicant has experience, during at least three of the four years prior to the date of filing the application, in performing or supervising LP gas activities; and~~

~~_____ (5) any other information required by this section.~~

(ie) Curriculum standards. The course curriculum must be consistent with the guidelines established by the PERC Dispensing Propane Safely ~~Small Cylinder~~ course and shall also include training on the requirements listed in §9.20(4) of this title (relating to DOT Cylinder Filler- and Motor/Mobile Tank Filler Certificate Exemption).

(iid) AFS review. AFS shall review the application for approval as a of PERC based training outside instructor and, within 14 business days of the date AFS receives the application, shall notify the applicant licensed retailer in writing that the application is approved, denied, or incomplete.

(1) Approved applications

~~_____ (A) Additional requirements for approval. PERC outside instructor applicants whose applications are approved in writing by AFS shall attend AFS' Train the Trainer Course, the fee for which is included in the \$300 registration fee.~~

~~_____ (i) The initial Train the Trainer Course shall include the classroom instruction and examination for the DOT cylinder filler certification.~~

~~_____ (ii) The PERC outside instructor applicant shall pass the DOT cylinder filler examination referenced in §9.10(d)(1)(F) of this title (relating to Rules Examination) with a score of at least 85 percent.~~

~~_____ (B) Notification of approval. Within 10 business days of the PERC outside instructor applicant's completion of the requirements of this section, AFS shall notify the applicant in writing that the applicant is approved as a PERC outside instructor and the PERC outside instructor may then begin offering courses.~~

~~_____ (C) Term of approval. AFS approval of a PERC outside instructor remains valid for three years unless the Commission revokes the approval pursuant to subsection (f) of this section.~~

~~_____ (2) Denied applications. If an application is denied, AFS' notice of denial shall identify the reason the applicant does not meet the requirements of subsections (a)–(c) of this section.~~

~~_____ (3) Incomplete applications:~~

~~_____ (A) If an application is incomplete, AFS' notice of deficiency shall identify the necessary additional information, including any deficiencies in course curriculum or materials.~~

~~_____ (B) The applicant shall file the necessary additional information within 30 calendar days of the date of AFS' notice of deficiency.~~

~~_____ (C) The applicant's failure to file the necessary additional information within the prescribed time period may result in the dismissal of the application and the necessity of the applicant again paying the non-refundable \$300 registration fee for each subsequent filing of an application.~~

~~(e) Revision of course materials. PERC outside instructors must use the materials submitted to and approved by AFS. A PERC outside instructor who revises any course materials previously approved by AFS shall submit the revisions in writing, along with a nonrefundable \$100 review fee to AFS.~~

~~_____ (1) The nonrefundable \$100 review fee shall be waived if the course materials are revised as a result of changes made by PERC to its Dispensing Propane Safely—Small Cylinder course or examination materials.~~

~~_____ (2) A PERC outside instructor shall not use materials in a course until the outside instructor has received written AFS approval.~~

~~_____ (3) AFS shall review the revised course materials and, within 14 business days, shall notify the PERC outside instructor in writing that the revised course materials are approved or not approved.~~

~~_____ (4) If the revised course materials are not approved:~~

~~_____ (A) AFS' notice shall identify the portion or portions that are not approved and/or shall describe any deficiencies in the revised course materials.~~

~~_____ (B) The PERC outside instructor shall file any necessary additional information within 30 calendar days of the date of AFS' notice.~~

~~_____ (C) The PERC outside instructor's failure to file the necessary additional information within the prescribed time period may result in the dismissal of the request for approval of~~

~~revised course materials and the necessity of again paying the \$100 review fee for each subsequent filing of revised course materials.~~

~~—————(5) Once approved, the revised course materials may be used in the PERC outside instructor's course.~~

~~(f) Continuing requirements. Approved PERC outside instructors shall:~~

~~—————(1) maintain their certificates in continuous good standing. Any interruption of the required certificates may result in the Commission revoking or suspending the PERC outside instructor's approval;~~

~~—————(2) renew their AFS PERC outside instructor approval every three years by paying a nonrefundable \$150 renewal fee to AFS;~~

~~—————(3) attend a Train the Trainer refresher course prior to the PERC outside instructor's next renewal deadline. The Train the Trainer course shall not count as credit towards any training or continuing education requirements; and~~

~~—————(4) adhere to professional standards of conduct in course administration.~~

~~(g) PERC outside instructor additional responsibilities.~~

~~—————(1) PERC outside instructors are responsible for every aspect of the courses they administer, including the location, schedule, date, time, duration, content, material, demeanor and conduct of the PERC outside instructor, and reporting of attendance information.~~

~~—————(2) AFS may monitor or supervise courses or exams administered by PERC outside instructors.~~

~~(h) Complaints. Complaints regarding PERC outside instructors shall be made to AFS in writing by e-mail, fax, or U. S. Postal Service and shall:~~

~~—————(1) include the complainant's printed name, address, and telephone number;~~

~~—————(2) be signed by the complainant if filed by fax or U.S. Postal Service;~~

~~—————(3) state the PERC outside instructor's name and the course date, location, and title; and~~

~~—————(4) describe the facts that show the PERC outside instructor:~~

~~—————(A) failed to meet or maintain AFS requirements for PERC outside instructor approval;~~

~~—————(B) failed to deliver a course as approved, including failure to follow the approved curriculum, to use the approved course materials, or to deliver the requisite numbers of hours of instruction; or~~

~~—————(C) engaged in other conduct, including the use of language, that created an atmosphere not conducive to learning. Such conduct includes but is not limited to demeaning, derogating,~~

~~or stereotyping women or men, disabled persons, members of any political, religious, racial, or ethnic group, or a particular individual, organization, or product.~~

~~(i) Analysis:~~

~~—————(1) As a result of AFS monitoring or supervising a course pursuant to subsection (g)(2) of this section or upon receipt of a complaint pursuant to subsection (h) of this section and at its discretion, AFS may gather any additional information necessary or appropriate to making a full and complete analysis:~~

~~—————(A) AFS shall send a written analysis and any findings to the PERC outside instructor who conducted the course monitored or supervised by AFS or that is the subject of the complaint.~~

~~—————(B) The PERC outside instructor may file a written response within 20 calendar days from the date of AFS' findings:~~

~~—————(2) If AFS determines that a PERC outside instructor has engaged in conduct prohibited by this section, AFS may prepare a report that states the facts on which the determination is based and the recommended action AFS intends to take:~~

~~—————(A) AFS may:~~

~~—————(i) issue a written warning to the PERC outside instructor;~~

~~—————(ii) decline to approve or renew the PERC outside instructor's approval;~~

~~or~~

~~—————(iii) revoke the PERC outside instructor's approval.~~

~~—————(B) AFS shall:~~

~~—————(i) send a written copy of the report and recommendation to the PERC outside instructor; and~~

~~—————(ii) include a statement that the PERC outside instructor has a right to a hearing on the determination contained in the report.~~

~~—————(C) Within 20 calendar days after the date the notice is postmarked, the PERC outside instructor shall file a written response either accepting the determination and recommended action or requesting a hearing on the determination.~~

~~—————(i) If a PERC outside instructor requests a hearing, the AFS director shall refer the matter to the Hearings Division.~~

~~—————(ii) Following the hearing, the Commission may enter an order finding that the PERC outside instructor has violated Commission rules or that no violation has occurred; and may make any other finding based on the evidence in the record.~~

~~_____ (iii) If the PERC outside instructor does not comply with the order of the Commission, and if the enforcement of the Commission's order is not stayed, then the Office of General Counsel may refer the matter to the attorney general for enforcement of the Commission's order.~~

~~_____ (D) If the PERC outside instructor accepts the determination, the PERC outside instructor shall notify AFS in writing of the acceptance, and AFS shall take the action indicated in the report. If the PERC outside instructor does not respond to the report timely, AFS shall take the action indicated in the report.~~

~~(i) Completed courses:~~

~~_____ (1) Within three business days of the conclusion of a course, PERC outside instructors shall report to AFS the following information:~~

~~_____ (A) the PERC outside instructor's name and last four digits of the instructor's social security number or RRC identification number;~~

~~_____ (B) employing licensee's name and license number;~~

~~_____ (C) date of the course;~~

~~_____ (D) list of the persons completing the course, including the following information for each individual listed:~~

~~_____ (i) full name;~~

~~_____ (ii) last four digits of the person's social security number or RRC identification number; and~~

~~_____ (iii) personal mailing address.~~

~~_____ (2) The report shall be made electronically.~~

~~_____ (3) The PERC outside instructor shall ensure that AFS receives the report by securing written acknowledgment of its receipt by AFS.~~

~~_____ (4) A \$40 registration fee shall be submitted for each individual listed in paragraph (1)(D) of this subsection.~~