

452A.42 Electric fuel dealer's and user's license.

1. A person shall not sell or dispense electric fuel within this state at a location other than a residence or otherwise act as a licensed electric fuel dealer or user unless the person holds an uncanceled license issued by the department. The holder of an electric fuel dealer's license is authorized to sell and dispense electric fuel, measured in kilowatt hours, to consumers. The holder of an electric fuel user's license is authorized to dispense electric fuel, measured in kilowatt hours, into the batteries or other energy storage devices of electric motor vehicles owned or controlled by the holder.

2. To procure a license, a person shall file with the department an application signed under penalty for false certificate setting forth all of the following:

a. The name under which the licensee will transact business in this state.

b. The location, with street number address, of the principal office or place of business of the licensee within this state.

c. The name and complete residence address of the owner or the names and addresses of the partners, if the licensee is a partnership, or the names and addresses of the principal officers, if the licensee is a corporation or association.

3. A dealer's or user's license shall be required for each separate place of business or location, other than a residence, where electric fuel is delivered or placed into the battery or other energy storage device of an electric motor vehicle.

4. a. The department may deny the issuance of a license to an applicant who is substantially delinquent in the payment of a tax due, or the interest or penalty on the tax, administered by the department. If the applicant is a partnership, a license may be denied if a partner owes any delinquent tax, interest, or penalty. If the applicant is a corporation, a license may be denied if any officer having a substantial legal or equitable interest in the ownership of the corporation owes any delinquent tax, interest, or penalty of the applicant corporation.

b. The department may deny the issuance of a license if an application for a license to transact business as a dealer or user in this state is filed by a person whose license or registration has been canceled for cause at any time under the provisions of [this chapter](#) or any prior motor fuel tax law, if the department has reason to believe that the application is not filed in good faith, or if the application is filed by some person as a subterfuge for the real person in interest whose license or registration has been canceled for cause under the provisions of [this chapter](#) or any prior motor fuel tax law. The applicant shall be given fifteen days' notice in writing of the date of the hearing and shall have the right to appear in person or by counsel and present testimony.

5. a. The application in proper form having been accepted for filing, and the other conditions and requirements of [this section](#) and [subchapter V](#) having been complied with, the department shall issue to the applicant a license to transact business as an electric fuel dealer or user in this state. The license shall remain in full force and effect until canceled as provided in [this chapter](#).

b. The license shall not be assignable and shall be valid only for the licensee in whose name it is issued.

c. The department shall keep and file all applications and bonds and a record of all licensees.

[2019 Acts, ch 151, §25, 46](#)