

## HOUSE SUMMARY OF SENATE AMENDMENTS

HB 1031

2022 Regular Session

Freiberg

MOTOR VEHICLES: Imposes a road usage fee on certain electric and hybrid vehicles

### Synopsis of Senate Amendments

1. Removes the requirement that each electric and hybrid vehicle pay the vehicle registration license tax.
2. Modifies a provision of proposed law that requires the development of a prorated fee schedule applicable to electric vehicles and hybrid vehicles by requiring that such vehicles are registered to be operated upon the highways of this state.
3. Removes the requirement to publish returns reported and remitted to the secretary of the Louisiana Department of Revenue.
4. Modifies a provision of proposed law by removing one of the alternative options by which the fee levied may be reported and remitted to the secretary of the Louisiana Department of Revenue from the use of existing returns to the use of existing forms and schedules.
5. Removes, in part, the special effectiveness provision that required proposed law be applicable to electric vehicles and hybrid vehicles that are operated upon the highways of this state and which are required to be registered in Louisiana. Retains the January 1, 2023 effective date.

### Digest of Bill as Finally Passed by Senate

Proposed law levies a road usage fee not to exceed \$110 per year on each electric vehicle and an annual road usage fee not to exceed \$60 per year on each hybrid vehicle operated on state highways which are required to be registered in accordance with present law.

Proposed law exempts an electric vehicle or hybrid vehicle that is a school bus primarily used to transport La. students from the fee imposed by proposed law.

Proposed law defines the following terms:

- (1) "Electric vehicle" means a vehicle powered by one or more electric motors or energy stored in rechargeable batteries for propulsion.
- (2) "Hybrid vehicle" means a vehicle that uses gasoline, diesel fuel, or special fuels in combination with an electric motor for propulsion.
- (3) "Owner" has the same meaning as defined by present law.
- (4) "Secretary" means the secretary of the Louisiana Department of Revenue.

Proposed law requires the administration and collection of the road usage fee.

Proposed law requires the fees imposed by proposed law be paid by the owner of the electric vehicle and the owner of the hybrid vehicle on a calendar year basis. Further requires the fee be due on or before May 15th for the preceding year in which the electric vehicle or hybrid vehicle was operated upon the highways of this state.

Proposed law requires the secretary to administer and to authorize the collection of fees imposed by proposed law with all the duties and powers authorized by present law.

Proposed law requires the secretary of the Dept. of Revenue in consultation with the secretary of the Dept. of Transportation and Development to promulgate rules in accordance with the Administrative Procedure Act relative to the following:

- (1) To develop a prorated fee schedule applicable to electric vehicles and hybrid vehicles that are registered to be operated upon the highways of this state for less than one year. Provides that the fee schedule may consider mileage, weight, days operated, and other relevant factors to reasonably determine a fee that is commensurate and in proportion with actual road usage in this state.
- (2) To prescribe and publish forms, schedules, and methods upon which the fee levied pursuant to proposed law may be reported and remitted to the secretary, including through the use of existing forms and schedules.
- (3) To provide for collection and administrative procedures that the secretary determines necessary to administer proposed law.

Proposed law requires proceeds of the fees imposed by proposed law be deposited as follows:

- (1) 70% of the proceeds be deposited into the Construction Subfund of the Transportation Trust Fund for use by the Department of Transportation and Development (DOTD) on road and bridge preservation projects included in the Highway Priority Program in accordance with the DOTD's definitions of such projects.
- (2) 30% of the proceeds be deposited into the Parish Transportation Fund and distributed to local governments in accordance with the formula set forth in present law. Further provides the amounts distributed may be used by local governments for any purpose that is a permitted use of funds received from the Parish Transportation Fund.

Effective January 1, 2023.