

2016 Regular Session

HOUSE BILL NO. 774

BY REPRESENTATIVE STOKES

FEES/LICENSES/PERMITS: Establishes a decal program and annual fee for electric vehicles operating on the highways of this state

1 AN ACT

2 To enact R.S. 47:463.7, relative to motor vehicles; to provide with respect to certain  
3 alternative fuel motor vehicles; to establish a decal program for the operation of  
4 certain electric vehicles on the highways of this state; to provide for definitions; to  
5 provide for certain requirements; to require certain fees; to authorize the  
6 promulgation of rules; to provide for an effective date; and to provide for related  
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 47:463.7 is hereby enacted to read as follows:

10 §463.7. Plug-in electric motor vehicles; annual road use fee; issuance of decals

11 A.(1) In addition to the registration license tax required in accordance with  
12 R.S. 47:463 and any other fees required in accordance with law, each plug-in electric  
13 motor vehicle registered in Louisiana shall also be assessed an annual road use fee  
14 of fifty dollars in lieu of the collection of excise taxes on motor fuel. The initial fee  
15 shall be collected from the owner of the vehicle at the time the vehicle is initially  
16 registered in the state of Louisiana and the owner shall be issued a decal in  
17 accordance with the provisions of Subsection B of this Section which indicates that  
18 the fee has been collected.

19 (2) For purposes of this Section, the term "plug-in electric motor vehicle"  
20 shall mean a motor vehicle that can be recharged from any external source of

1 electricity and the electricity stored in a rechargeable battery pack propels or  
2 contributes to propel the vehicle's drive wheels or a motor vehicle that has received  
3 acknowledgment of certification from the federal internal revenue service that the  
4 vehicle qualifies for the plug-in electric vehicle credit as provided for in 26 U.S.C.  
5 Section 30(D), or any successor section.

6 B. Any owner or operator of a plug-in electric motor vehicle who wishes to  
7 operate the vehicle on the highways of this state shall be issued a decal which  
8 indicates that the annual fee for operation of the vehicle has been paid. Each decal  
9 shall be effective for twelve consecutive months and shall be renewed annually. If  
10 the owner of the plug-in electric motor vehicle sells or transfers the title of the  
11 vehicle, the owner shall also transfer the decal at the time of transfer of the title of  
12 the vehicle. The Department of Revenue shall be responsible for establishing a form  
13 for the initial decal application as well as establishing procedures for the annual  
14 renewals of the decals, transfer of decals, and collection of the annual fee.

15 C. The secretary of the Department of Revenue may promulgate rules and  
16 regulations in accordance with the provisions of the Administrative Procedure Act  
17 as are necessary to implement the provisions of this Section and to establish a decal  
18 program for the operation of electric plug-in vehicles on the highways of this state.

19 Section 2. This Act shall become effective upon signature by the governor or, if not  
20 signed by the governor, upon expiration of the time for bills to become law without signature  
21 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
22 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
23 effective on the day following such approval.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 774 Original

2016 Regular Session

Stokes

**Abstract:** Requires an annual road use fee of \$50 for plug-in electric motor vehicles and establishes a decal program for these vehicles.

Proposed law requires each plug-in electric motor vehicle registered in La. to pay an annual road use fee of \$50 in lieu of the collection of excise taxes on motor fuel. The road use fee is in addition to the registration license tax and any other fees required in present law.

Proposed law defines an "plug-in electric motor vehicle" as a motor vehicle that can be recharged from any external source of electricity and the electricity stored in a rechargeable battery pack propels or contributes to propel the vehicle's drive wheels or a motor vehicle that has received certification from the I.R.S. that the vehicle qualifies for the plug-in electric vehicle credit as provided for federal law.

Proposed law requires the initial fee to be collected from the owner of the vehicle at the time the vehicle is initially registered in La. and requires the owner to be issued a decal which indicates that the fee has been collected. Each decal shall be effective for 12 consecutive months and shall be renewed annually. Requires an owner who sells or transfers title of the plug-in electric motor vehicle to transfer the decal at the time of transfer of the vehicle's title.

Proposed law requires the Dept. of Revenue (DOR) to establish a form for the initial decal application as well as establishing procedures for the annual renewals of the decals, transfer of decals, and collection of the annual fee.

Proposed law authorizes the secretary of DOR to promulgate rules and regulations in accordance with the provisions of the APA as are necessary to implement the provisions of proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 47:463.7)