

2016 Regular Session

HOUSE BILL NO. 774

BY REPRESENTATIVE STOKES

FEES/LICENSES/PERMITS: Establishes an 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 impose a fee on owners of plug-in
3 electric vehicles; to provide for the collection and disposition of such fee; to provide
4 for definitions; to authorize the promulgation of rules; to provide for an effective
5 date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

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

8 §463.7. Plug-in electric motor vehicles; annual road use fee

9 A.(1) In addition to the registration license tax required in accordance with
10 R.S. 47:461 et seq. and any other fees required by law, each plug-in electric motor
11 vehicle registered in Louisiana shall also be assessed an annual road use fee of fifty
12 dollars in lieu of the collection of excise taxes on motor fuel. The fee shall be
13 collected from the owner of the vehicle at the time the vehicle is initially registered
14 in the state of Louisiana and each time such registration is renewed. The fee shall
15 be imposed for each year that the registration or renewal is valid. The total amount
16 of the fee collected at the time of the registration or renewal thereof shall be noted
17 on the certificate of registration for the vehicle.

18 (2) For purposes of this Section, the term "plug-in electric motor vehicle"
19 shall mean a motor vehicle that can be recharged from any external source of
20 electricity provided by a public utility or any person owning, leasing, or operating

1 charging equipment, provided such person is not engaged in the generation,
 2 transmission, or distribution of electricity, and the electricity stored in a rechargeable
 3 battery pack propels or contributes to propel the vehicle's drive wheels or a motor
 4 vehicle that has received acknowledgment of certification from the federal Internal
 5 Revenue Service that the vehicle qualifies for the plug-in electric vehicle credit as
 6 provided for in 26 U.S.C. Section 30(D), or any successor section.

7 B. After compliance with the requirements of Article VII, Section 9(B) of
 8 the Constitution of Louisiana, all monies collected pursuant to this Section shall be
 9 deposited into the Transportation Trust Fund.

10 C. The commissioner of the office of motor vehicles, in consultation with the
 11 secretary of the Department of Revenue, may promulgate rules and regulations in
 12 accordance with the provisions of the Administrative Procedure Act as are necessary
 13 to implement the provisions of this Section.

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

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)]

HB 774 Engrossed

2016 Regular Session

Stokes

Abstract: Requires an annual road use fee of \$50 for plug-in electric motor 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. Specifies that the road use fee is in addition to the registration license tax and any other fees required in present law.

Proposed law defines a "plug-in electric motor vehicle" as a motor vehicle that can be recharged from any external source of electricity provided by a public utility or any person owning, leasing, or operating charging equipment, provided such person is not engaged in the generation, transmission, or distribution 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 federal Internal Revenue Service 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 upon renewal of such registration. Requires the fee be paid for each year that such registration or renewal is valid.

Proposed law requires the total amount of the fee collected at registration or renewal thereof to be noted on the certificate of registration for the vehicle.

Proposed law authorizes the commissioner of the office of motor vehicles, in consultation with the secretary of the Dept. of Revenue, to promulgate rules and regulations in accordance with the provisions of the Administrative Procedure Act as are necessary to implement the provisions of proposed law.

Proposed law requires, after compliance with the state constitution, all monies collected pursuant to proposed law be deposited into the Transportation Trust Fund.

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

(Adds R.S. 47:463.7)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Remove that a decal would be issued to the owner of an electric plug-in vehicle upon payment of an annual fee and upon initial registration of the vehicle in La.
2. Instead require that the payment of the annual fee will be noted on the registration of the vehicle upon payment of the fee and upon registration of the vehicle in La.
3. Remove that the decal would be valid for 12 consecutive months and renewed annually upon payment of a fee.
4. Instead require that the fee be collected at the time of registration of the vehicle and renewal thereof and collected for each year that the registration is valid.
5. Within the definition of "plug-in electric vehicle", provide that the "external source of electricity" from which the vehicle can be recharged from is that which is provided by a public utility or any person owning, leasing, or operating charging equipment, provided such person is not engaged in the generation, transmission, or distribution of electricity.
6. Remove that the Dept. of Revenue would be responsible for establishing a form for the initial decal program and the procedures for the annual renewal of decals, transfer of decals, and collection of the annual fee.
7. Add that the commissioner of the office of motor vehicles, in consultation with the Dept. of Revenue, may promulgate rules and regulations in accordance with the Administrative Procedure Act as are necessary to implement proposed law.
8. Add that after compliance with the state constitution, all monies collected pursuant to proposed law must be deposited into the Transportation Trust Fund.