

An Act

ENROLLED HOUSE
BILL NO. 1712

By: Hill and Hilbert of the
House

and

Haste of the Senate

An Act relating to transportation; declaring legislative intent; creating the Oklahoma Road User Charge Program; creating the Road User Charge Task Force; providing for task force representation from certain groups; providing for duties of task force; requiring submission of findings and recommendations to Legislature by certain date; authorizing the Oklahoma Tax Commission to collect certain fees and charges; requiring fees collected be used for certain purposes; providing for noncodification; providing for codification; and providing an effective date.

SUBJECT: Transportation

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The Legislature finds and declares the following:

1. An efficient transportation system is critical for Oklahoma's economy and quality of life;
2. The revenues currently available for highways are unsustainable and inadequate to preserve and maintain existing infrastructure and provide funds for improvements that would reduce congestion and improve service;
3. The gas tax is an ineffective mechanism for meeting Oklahoma's long-term revenue needs because it will steadily generate less revenue as vehicles become more fuel efficient and alternative

sources of fuel are utilized. Currently, alternative-powered vehicles contribute less to road user revenue used for building and maintaining Oklahoma's highways, with some contributing none;

4. Many other states have begun to explore the potential for a road usage charge to replace traditional motor fuel taxes;

5. Road usage charging is a policy whereby motorists pay for the use of the roadway network based on the distance they travel;

6. A road user charge program has the potential to distribute the gas tax burden across all vehicles regardless of the fuel source and to minimize the impact of the current regressive gas tax structure;

7. Experience to date in other states across the nation demonstrates that mileage-based charges can be implemented in a way that ensures data security and maximum privacy protection for drivers;

8. According to the Department of Transportation's Long Range Transportation Plan, by 2045, the amount of fuel tax revenue generated per vehicle miles traveled is expected to decrease by forty-four and seven-tenths percent (44.7%); and

9. It is therefore vital to begin the exploration of alternative revenue sources that may be implemented in lieu of the antiquated gas tax structure now in place.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1930 of Title 69, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Oklahoma Road User Charge Program".

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1931 of Title 69, unless there is created a duplication in numbering, reads as follows:

A. 1. There is hereby created to continue until June 30, 2024, the Road User Charge Task Force. The task force shall be chaired by the Executive Director of the Department of Transportation and shall consist of, but shall not be limited to, representation from the following groups:

- a. Department of Transportation,
 - b. Metro Planning Organizations (MPOs),
 - c. Oklahoma Center for the Advancement of Science and Technology,
 - d. Office of Management and Enterprise Services,
 - e. Oklahoma Tax Commission,
 - f. Oklahoma Municipal League,
 - g. Association of County Commissioners of Oklahoma,
 - h. Oklahoma Corporation Commission,
 - i. Department of Transportation Tribal Advisory Board,
 - j. Industry representatives,
 - k. Office of the Speaker of the House of Representatives, and
 - l. Office of the President Pro Tempore of the Senate;
2. The Road User Charge Task Force shall:
- a. consult with highway users and transportation stakeholders, including stakeholders representing vehicle users, vehicle manufacturers and fuel distributors, to ensure fair and equitable distribution of the gas tax burden across all vehicles regardless of fuel source,
 - b. study the availability, adaptability, reliability and security of methods that may be used in recording and reporting public road usage,
 - c. study the ease and cost of administering the collection of taxes and fees as an alternative to the current system of taxing highway use through motor vehicle fuel taxes,

- d. ensure that processes for collecting, managing, storing, transmitting and destroying data are in place to protect the integrity of the data and safeguard the privacy of drivers,
- e. collaborate with other states to seek potential interoperability opportunities to capture out-of-state drivers traveling through Oklahoma,
- f. develop and implement a voluntary pilot program to assess the potential for mileage-based revenue collection for Oklahoma's roads and highways as an alternative to the gas tax system,
- g. through public outreach, secure a sampling of individuals willing to participate in the pilot program for testing purposes in lieu of paying certain vehicle registration fees, and
- h. seek available federal funds for studies, demonstration projects or pilots associated with the Oklahoma Road User Charge Program's implementation.

B. A report of findings and recommendations determined by the task force on how best to implement the Oklahoma Road User Charge Program shall be submitted to the Legislature by December 31, 2023.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1932 of Title 69, unless there is created a duplication in numbering, reads as follows:

The Oklahoma Tax Commission shall administer the collection of any charges or fees associated with the Oklahoma Road User Charge Program. Collections from the road usage charges imposed under this act shall be specifically designated for the purpose of maintaining and improving the roads, highways and bridges in the State of Oklahoma.

SECTION 5. This act shall become effective November 1, 2021.

Passed the House of Representatives the 27th day of April, 2021.

Presiding Officer of the House
of Representatives

Passed the Senate the 15th day of April, 2021.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____