

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 COMMITTEE SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 1950

6 By: Roberts (Dustin)

7 COMMITTEE SUBSTITUTE

8 [motor fuel tax fees - licensing and registration -
9 apportionment - State Highway Construction and
10 Maintenance Fund - repealer - effective date]
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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 1132.8 of Title 47, unless there
16 is created a duplication in numbering, reads as follows:

17 A. In addition to other vehicle registration fees specified by
18 law, for the year beginning January 1, 2020, and for each year
19 thereafter, there is hereby levied and there shall be paid to the
20 Oklahoma Tax Commission a Motor Fuels Tax Fee of:

21 1. One Hundred Twenty-five Dollars (\$125.00) upon every
22 electric-drive motor vehicle to be registered;

23 2. Sixty Dollars (\$60.00) upon every plug-in hybrid-drive motor
24 vehicle to be registered; and

1 3. Thirty Dollars (\$30.00) upon every hybrid-drive motor
2 vehicle to be registered.

3 The fee shall accrue and shall be collectible upon each
4 electric-drive motor vehicle, plug-in hybrid-drive motor vehicle and
5 hybrid-drive motor vehicle under the same circumstances and shall be
6 payable in the same manner and times as apply to vehicle
7 registrations under the provisions of the Oklahoma Vehicle License
8 and Registration Act; provided, the fee shall be paid in full for
9 the then current year at the time any electric-drive motor vehicle,
10 plug-in hybrid-drive motor vehicle or hybrid-drive motor vehicle is
11 first registered in a calendar year.

12 B. The collection and payment of the fee specified in this
13 section shall be a prerequisite to licensing or registration of any
14 electric-drive motor vehicle, plug-in hybrid-drive motor vehicle or
15 hybrid-drive motor vehicle.

16 C. Revenue from the fee provided for in subsection A of this
17 section shall be deposited in the State Treasury to the credit of
18 the State Highway Construction and Maintenance Fund created in
19 Section 1501 of Title 69 of the Oklahoma Statutes.

20 D. For purposes of this section:

21 1. "Electric-drive motor vehicle" means a vehicle subject to a
22 registration fee as provided for in subsection A of Section 1132 of
23 Title 47 of the Oklahoma Statutes that is propelled solely by
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1 electrical energy and is not capable of using gasoline, diesel or
2 any other fuel for propulsion;

3 2. "Plug-in hybrid-drive motor vehicle" means a vehicle subject
4 to a registration fee as provided for in subsection A of Section
5 1132 of Title 47 of the Oklahoma Statutes that is capable of being
6 propelled at least in part by electrical energy through the use of a
7 battery storage system of at least four (4) kilowatt-hours, is
8 capable of being recharged from an external source of electricity
9 and is also capable of using gasoline, diesel fuel or alternative
10 fuel to propel the vehicle; and

11 3. "Hybrid-drive motor vehicle" means a vehicle subject to a
12 registration fee as provided for in subsection A of Section 1132 of
13 Title 47 of the Oklahoma Statutes that draws propulsion energy from
14 onboard sources of stored energy that are both an internal
15 combustion or heat engine using consumable fuel such as gasoline or
16 diesel and a rechargeable energy storage system, and is not capable
17 of being recharged from an external source of electricity.

18 SECTION 2. AMENDATORY 69 O.S. 2011, Section 1501, as
19 amended by Section 2, Chapter 347, O.S.L. 2017 (69 O.S. Supp. 2018,
20 Section 1501), is amended to read as follows:

21 Section 1501. ~~(a)~~ A. All monies received by taxation or
22 otherwise for use on the state highways of this state shall, unless
23 otherwise provided by law, be placed in the State Treasury in a fund
24 to be known as the State Highway Construction and Maintenance Fund.

1 The fund shall also consist of revenues specifically apportioned to
2 such fund by provisions of the Oklahoma Statutes.

3 ~~(b)~~ B. All monies remaining in the State Highway Construction
4 and Maintenance Fund created by 69 O.S. 1961, Section 44(d), when
5 this Code becomes effective, and all other assets thereof, and all
6 taxes, revenue and other funds payable to or required to be
7 deposited in such fund under the provisions of other laws when this
8 Code becomes effective, shall be transferred to, be deposited in and
9 be a part of the State Highway Construction and Maintenance Fund
10 created by this section; and the latter fund shall be liable for the
11 payment of all outstanding obligations existing against the former
12 fund.

13 ~~(c) Of the monies deposited in the State Highway Construction~~
14 ~~and Maintenance Fund pursuant to the apportionment of Motor Fuels~~
15 ~~Tax Fees provided in Section 1 of this act, the lesser of Ten~~
16 ~~Thousand Dollars (\$10,000.00) and one and one-half percent (1 1/2%)~~
17 ~~of such monies may be used for the development and maintenance of~~
18 ~~alternative fuel corridors as defined by the Federal Highway~~
19 ~~Administration.~~

20 SECTION 3. REPEALER Section 1, Chapter 347, O.S.L. 2017
21 (47 O.S. Supp. 2018, Section 1132.7), is hereby repealed.

22 SECTION 4. This act shall become effective November 1, 2019.

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24 57-1-8334 JM 02/28/19