

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1950

By: Roberts (Dustin)

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8 COMMITTEE SUBSTITUTE

9 [motor fuel tax fees - licensing and registration -
10 apportionment - State Highway Construction and
11 Maintenance Fund - repealer - effective date]

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

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

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

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

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

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

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

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

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

22 D. For purposes of this section:

23 1. "Electric-drive motor vehicle" means a vehicle subject to a
24 registration fee as provided for in subsection A of Section 1132 of

1 Title 47 of the Oklahoma Statutes that is propelled solely by
2 electrical energy and is not capable of using gasoline, diesel or
3 any other fuel for propulsion;

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

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

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

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

1 to be known as the State Highway Construction and Maintenance Fund.
2 The fund shall also consist of revenues specifically apportioned to
3 such fund by provisions of the Oklahoma Statutes.

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

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

21 SECTION 3. REPEALER Section 1, Chapter 347, O.S.L. 2017
22 (47 O.S. Supp. 2018, Section 1132.7), is hereby repealed.

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

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1 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
2 03/04/2019 - DO PASS, As Amended.

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