
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 813 Session of
2021

INTRODUCED BY MASTRIANO, JULY 26, 2021

REFERRED TO TRANSPORTATION, JULY 26, 2021

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in liquid fuels and fuels tax, further providing
3 for definitions and providing for electric vehicle and hybrid
4 electric vehicle road use fee; making an appropriation; and
5 making editorial changes.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Chapter 90 of Title 75 of the Pennsylvania
9 Consolidated Statutes is amended by adding a subchapter heading
10 immediately preceding section 9001 to read:

11 SUBCHAPTER A

12 PRELIMINARY PROVISIONS

13 Section 2. The definition of "average wholesale price" in
14 section 9002 of Title 75 is amended to read:

15 § 9002. Definitions.

16 The following words and phrases when used in this chapter
17 shall have the meanings given to them in this section unless the
18 context clearly indicates otherwise:

19 * * *

20 "Average wholesale price." The average wholesale price of

1 all taxable liquid fuels and fuels, excluding the Federal excise
2 tax and all liquid fuels taxes, shall be as follows:

3 (1) After December 31, 2013, and before January 1, 2015,
4 the average wholesale price shall be \$1.87 per gallon.

5 (2) After December 31, 2014, and before January 1, 2017,
6 the average wholesale price shall be \$2.49 per gallon.

7 (3) After December 31, 2016, and before October 1, 2021,
8 the average wholesale price shall be as determined by the
9 Department of Revenue for the 12-month period ending on the
10 September 30 immediately prior to January 1 of the year for
11 which the rate is to be set. In no case shall the average
12 wholesale price be less than \$2.99 per gallon.

13 (4) After September 30, 2021, and before April 1, 2022,
14 the average wholesale price shall be \$2.84 per gallon.

15 (5) After March 31, 2022, the average wholesale price
16 shall be as determined by the Department of Revenue for the
17 12-month period ending on the September 30 immediately prior
18 to January 1 of the year for which the rate is to be set. In
19 no case shall the average wholesale price be less than \$2.99
20 per gallon.

21 * * *

22 Section 3. Chapter 90 of Title 75 is amended by adding
23 subchapters to read:

24 SUBCHAPTER B

25 (Reserved)

26 SUBCHAPTER C

27 ELECTRIC VEHICLE AND HYBRID ELECTRIC

28 VEHICLE ROAD USE FEE

29 Sec.

30 9031. Short title of subchapter.

1 9032. Road use fee imposed on electric vehicles and hybrid
2 electric vehicles.

3 9033. Fees for highway maintenance and construction.

4 9034. Appropriation.

5 9035. Expiration.

6 § 9031. Short title of subchapter.

7 This subchapter shall be known and may be cited as the
8 Electric Vehicle and Hybrid Electric Vehicle Road Use Fee Act.

9 § 9032. Road use fee imposed on electric vehicles and hybrid
10 electric vehicles.

11 (a) Fee required for registration.--Concurrent with
12 submitting an annual or biennial vehicle registration
13 application and fee to the Department of Transportation under
14 section 1301 (relating to registration and certificate of title
15 required), an owner of an electric vehicle or hybrid electric
16 vehicle shall submit the electric vehicle and hybrid electric
17 vehicle road use fee. The following shall apply:

18 (1) Registration may not be considered complete without
19 payment in full of the electric vehicle and hybrid electric
20 vehicle road use fee.

21 (2) The electric vehicle and hybrid electric vehicle
22 road use fee shall be a one-time fee. The fee shall be paid
23 upon the first registration following the effective date of
24 this subchapter for each electric vehicle or hybrid electric
25 vehicle registered in this Commonwealth.

26 (b) Computation of electric vehicle and hybrid electric
27 vehicle road use fee.--

28 (1) Except as otherwise provided in paragraph (2) or
29 (3), the electric vehicle and hybrid electric vehicle road
30 use fee for an electric vehicle shall be \$250.

1 (2) The electric vehicle and hybrid electric vehicle
2 road use fee for an electric motorcycle and neighborhood
3 electric vehicle shall be \$50.

4 (3) The electric vehicle and hybrid electric vehicle
5 road use fee for an electric vehicle with a gross vehicle
6 weight rating of 26,001 pounds or more shall be \$300.

7 (4) The electric vehicle and hybrid electric vehicle
8 road use fee for a hybrid electric vehicle shall be \$175.

9 § 9033. Fees for highway maintenance and construction.

10 Fees collected under this subchapter shall be deposited into
11 the Motor License Fund in accordance with the allocations under
12 section 9511 (relating to allocation of proceeds). For purposes
13 of aligning the electric vehicle and hybrid electric vehicle
14 road use fee with the allocations of proceeds, the electric
15 vehicle and hybrid electric vehicle road use fee must be
16 allocated in accordance with the oil company franchise tax for
17 highway maintenance and construction under section 9502
18 (relating to imposition of tax).

19 § 9034. Appropriation.

20 The sum of \$240,000,000 is appropriated from money received
21 by the Commonwealth from the Federal Government under Title IX,
22 Subtitle M of the American Rescue Plan Act of 2021 (Public Law
23 117-2, 135 Stat. 4) for deposit into the Motor License Fund in
24 accordance with the allocations under section 9511 (relating to
25 allocation of proceeds). This sum must be allocated in
26 accordance with the oil company franchise tax for highway
27 maintenance and construction under section 9502 (relating to
28 imposition of tax).

29 § 9035. Expiration.

30 This subchapter shall expire one year after the effective

1 date of this subchapter.

2 Section 4. This act shall take effect as follows:

3 (1) The addition of 75 Pa.C.S. Ch. 90 Subch. A heading
4 and Subchs. B and C shall take effect in 60 days.

5 (2) The remainder of this act shall take effect
6 immediately.