

AMENDMENTS TO SENATE BILL NO. 845

Sponsor: REPRESENTATIVE CARROLL

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1 Amend Bill, page 1, line 3, by striking out the period after
2 "vehicles" and inserting
3 ; in liquid fuels and fuels tax, further providing for
4 definitions and providing for electric vehicle road use fee;
5 and making editorial changes.

6 Amend Bill, page 2, by inserting between lines 3 and 4

7 Section 2. Chapter 90 of Title 75 is amended by adding a
8 subchapter heading to read:

9 SUBCHAPTER A

10 PRELIMINARY PROVISIONS

11 Section 3. Section 9002 of Title 75 is amended by adding
12 definitions to read:

13 § 9002. Definitions.

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

17 * * *

18 "Electric vehicle." The term includes electric vehicles and
19 hybrid electric vehicles. The term does not include qualified
20 motor vehicles as defined under section 2101.1 (relating to
21 definitions).

22 "Electric vehicle road use fee." The annual fee imposed
23 under Subchapter C (relating to electric vehicle road use fee)
24 in place of a tax on alternative fuels assessed upon electricity
25 used in electric vehicles.

26 "Exempt entity." A person exempt under section 9004(e)
27 (relating to imposition of tax, exemptions and deductions) from
28 reporting and paying a tax on liquid fuels, fuels or alternative
29 fuels imposed by this chapter.

30 * * *

31 Section 4. Chapter 90 of Title 75 is amended by adding
32 subchapters to read:

33 SUBCHAPTER B

34 (Reserved)

35 SUBCHAPTER C

36 ELECTRIC VEHICLE ROAD USE FEE

37 Sec.

1 9031. Short title of subchapter.

2 9032. Road use fee imposed on electric vehicles.

3 9033. Electricity used in electric vehicles.

4 9034. Fees for highway maintenance and construction.

5 9035. Exempt entities.

6 9036. Refunds.

7 9037. Regulations.

8 § 9031. Short title of subchapter.

9 This subchapter shall be known and may be cited as the
10 Electric Vehicle Road Use Fee Act.

11 § 9032. Road use fee imposed on electric vehicles.

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

20 (2) The electric vehicle road use fee shall be paid upon
21 initial registration and upon renewal for each electric
22 vehicle registered in this Commonwealth.

23 (b) Computation of electric vehicle road use fee.--

24 (1) The electric vehicle road use fee for any electric
25 motorcycle and neighborhood electric vehicle shall be \$15 per
26 year.

27 (2) The electric vehicle road use fee for any hybrid
28 electric vehicle with a gross vehicle weight rating of not
29 more than 26,000, but not a motorcycle shall be \$75 per year.

30 (3) The electric vehicle road use fee for any electric
31 vehicle with a gross vehicle weight rating of not more than
32 26,000, but not a motorcycle shall be \$175 per year. For
33 purposes of this subparagraph, an electric vehicle shall not
34 include a hybrid electric vehicle.

35 (4) The electric vehicle road use fee for any electric
36 vehicle with a gross vehicle weight rating of 26,001 or more
37 shall be \$250 per year.

38 § 9033. Electricity used in electric vehicles.

39 Electricity used in an electric vehicle that propels a
40 vehicle on public highways is not considered a liquid fuel, fuel
41 or alternative fuel as defined under this chapter.

42 § 9034. Fees for highway maintenance and construction.

43 Fees collected under this subchapter shall be deposited in
44 the Motor License Fund in accordance with the allocations under
45 section 9511 (relating to allocation of proceeds). For purposes
46 of aligning the electric vehicle road use fee with the
47 allocations of proceeds, the electric vehicle road use fee must
48 be allocated in accordance with the oil company franchise tax
49 for highway maintenance and construction under section 9502
50 (relating to imposition of tax).

51 § 9035. Exempt entities.

1 (a) Exemption.--An electric vehicle registered to an exempt
2 entity under section 9004(e) (relating to imposition of tax,
3 exemptions and deductions) is exempt from paying the electric
4 vehicle road use fee.

5 (b) Requirements.--The following apply:

6 (1) If an electric vehicle registered to an exempt
7 entity is used for a nonexempt purpose during the
8 registration year, the exempt entity shall pay an
9 administrative penalty of \$500 to the department. An exempt
10 entity that improperly uses a vehicle for nonexempt purposes
11 is not eligible to claim a refund for the vehicle under the
12 provisions of section 9036 (relating to refunds).

13 (2) An exempt entity applying for a refund under section
14 9036 shall maintain records of vehicle usage, certifying that
15 an individual trip made by the vehicle was for a qualified
16 exempt use. Individual trip logs, odometer readings and
17 driver signatures shall be among the records required to
18 substantiate exempt use.

19 (3) The department may inspect the substantiating
20 records for an exempt entity at any time.

21 (4) The exempt entity shall cooperate with an agent of
22 the department in an inspection.

23 (5) An exempt entity that refuses to permit the
24 department or an agent appointed by the department in writing
25 to examine the books, records, papers or other equipment
26 associated with the operation of an electric vehicle commits
27 a summary offense and shall pay a fine of \$500 for each
28 electric vehicle owned or operated by the exempt entity.

29 § 9036. Refunds.

30 A person may be entitled to a refund of the electric vehicle
31 road use fee paid for a vehicle that would otherwise have been
32 exempt under section 9004 (relating to imposition of tax,
33 exemptions and deductions). A person entitled to a refund of the
34 electric vehicle road use fee shall apply for an annual refund
35 in a manner similar to the refund process used for liquid fuels,
36 fuels and alternative fuels under section 9017 (relating to
37 refunds).

38 § 9037. Regulations.

39 The department, in coordination with the Department of
40 Transportation, may promulgate regulations to implement the
41 addition of this subchapter.

42 Amend Bill, page 2, line 4, by striking out "2" and inserting

43 5

44 Amend Bill, page 2, line 4, by striking out "in 60 days." and
45 inserting

46 as follows:

47 (1) This section shall take effect immediately.

1 (2) The amendment of section 4941 of the act shall take
2 effect in 60 days.
3 (3) The remainder of this act shall take effect in 180
4 days.