

AMENDMENTS TO SENATE BILL NO. 656

Sponsor: SENATOR LANGERHOLC

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1 Amend Bill, page 1, lines 1 through 4, by striking out all of
2 said lines and inserting

3 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
4 Statutes, in general provisions, further providing for
5 definitions; in liquid fuels and fuels tax, further providing
6 for definitions and providing for electric vehicle road user
7 charge; and imposing a penalty.

8 Amend Bill, page 1, lines 7 through 19; pages 2 through 4,
9 lines 1 through 30; page 5, lines 1 through 21; by striking out
10 all of said lines on said pages and inserting

11 Section 1. The definitions of "electric vehicle" and "hybrid
12 electric vehicle" in section 102 of Title 75 of the Pennsylvania
13 Consolidated Statutes are amended and the section is amended by
14 adding definitions to read:

15 § 102. Definitions.

16 Subject to additional definitions contained in subsequent
17 provisions of this title which are applicable to specific
18 provisions of this title, the following words and phrases when
19 used in this title shall have, unless the context clearly
20 indicates otherwise, the meanings given to them in this section:

21 * * *

22 "Battery." An energy power storage system that stores
23 electrical energy within the system's constituent parts.

24 * * *

25 "Electric vehicle." [A motor vehicle which operates solely
26 by use of a battery or battery pack and which meets the
27 applicable Federal motor vehicle safety standards. The term
28 includes a motor vehicle which is powered mainly through the use
29 of an electric battery or battery pack but which uses a flywheel
30 that stores energy produced by the electric motor or through
31 regenerative braking to assist in operation of the motor
32 vehicle.] A motor vehicle that delivers power to its drive wheel
33 or wheels solely by use of a battery-powered electric motor. The
34 term does not include qualified motor vehicles as defined under
35 section 2101.1 (relating to definitions).

1 * * *

2 "Hybrid electric vehicle." [An electric vehicle which allows
3 power to be delivered to the drive wheels solely by a battery-
4 powered electric motor but which also incorporates the use of a
5 combustion engine to provide power to the battery and which
6 meets the applicable Federal motor vehicle safety standards. The
7 primary source of power for the motor must be the electric
8 battery or battery pack and not the combustion engine.] A motor
9 vehicle that can deliver power to the drive wheels solely by a
10 battery-powered electric motor, and which also incorporates the
11 use of another fuel to power a combustion engine. The term does
12 not include a vehicle capable of receiving energy from an
13 external source, such as an outlet or charging station. The term
14 does not include qualified motor vehicles as defined under
15 section 2101.1.

16 * * *

17 "Plug-in hybrid electric vehicle." A motor vehicle that can
18 deliver power to the drive wheels solely by a battery-powered
19 electric motor and which also incorporates the use of another
20 fuel to power a combustion engine. The battery of the vehicle
21 must be capable of receiving energy from an external source,
22 such as an outlet or charging station. The term does not include
23 qualified motor vehicles as defined under section 2101.1.

24 * * *

25 Section 2. The definition of "person" in section 9002 of
26 Title 75 is amended to read:
27 § 9002. Definitions.

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

31 * * *

32 "Person." Every natural person, Commonwealth agency,
33 political subdivision, firm, copartnership, association or
34 corporation. Whenever used in any provision prescribing and
35 imposing a fine or imprisonment, the [term as applied to
36 associations means the partners or members and as applied to
37 corporations means the officers thereof.] terms firm,
38 copartnership, association and corporation shall be subject to
39 18 Pa.C.S. § 307 (relating to liability of organizations and
40 certain related persons).

41 * * *

42 Section 3. Title 75 is amended by adding a section to read:
43 § 9024. Electric vehicle road user charge.

44 (a) Imposition.--Owners or registrants of noncommercial
45 passenger electric vehicles with a gross vehicle weight rating
46 of not more than 14,000 pounds shall pay an electric vehicle
47 road user charge of \$290 per year, which shall be concurrent
48 with paying the vehicle registration fee imposed under Chapter
49 13 (relating to registration of vehicles).

50 (b) New or temporary electric vehicle registration.--New or
51 temporary registration for an electric vehicle issued on or

1 after the effective date of this subsection shall be subject to
2 the electric vehicle road user charge imposed under subsection
3 (a). The Department of Transportation shall send a form to the
4 owner or registrant for the payment of the electric vehicle road
5 user charge for the initial registration consistent with Chapter
6 13.

7 (c) Renewal of electric vehicle registration.--At least 60
8 days prior to the expiration of registration for an electric
9 vehicle under subsection (a), the Department of Transportation
10 shall send to the owner or registrant a form for the payment of
11 the electric vehicle road user charge for the renewal of
12 registration consistent with Chapter 13.

13 (d) Enrollment.--

14 (1) The Department of Transportation shall permit owners
15 or registrants of electric vehicles under subsection (a) to
16 pay the electric vehicle road user charge as follows:

17 (i) Enroll in a flat charge of \$290 per year
18 provided by credit or debit card, electronic funds
19 transfer or check or money order to the Department of
20 Transportation. Owners or registrants who elect this
21 option may enroll in a paper form prescribed and
22 furnished by the Department of Transportation instead of
23 electronically.

24 (ii) Enroll in an electronic payment plan of \$24.17
25 per month by credit or debit card or electronic funds
26 transfer to the Department of Transportation.

27 (2) The charges under paragraph (1)(i) and (ii) shall
28 not include a Federal tax, fee, levy or charge, and an owner
29 or registrant of an electric vehicle shall be responsible for
30 paying any tax, fee, levy or charge imposed by the Congress
31 of the United States after the effective date of this
32 paragraph.

33 (e) Concurrent registration.--The registration of electric
34 vehicles shall not be valid unless the owner or registrant
35 enrolls in a payment option under subsection (d).

36 (f) Penalty.--Failure to pay the electric vehicle road user
37 charge within 30 days of the enrollment date established by the
38 Department of Transportation shall result in the imposition of
39 penalties and a prohibition on renewal of the electric vehicle's
40 registration or transfer of title. The Department of
41 Transportation may not prohibit the renewal of a vehicle
42 registration under subsection (d)(1)(ii) if the electric
43 vehicle's owner or registrant is enrolled in a payment plan and
44 makes timely payments according to the schedule established by
45 the Department of Transportation.

46 (g) Residential exemption from alternative fuels tax.--
47 Electric vehicles subject to the electric vehicle road user
48 charge under subsection (a) are exempt from the tax imposed
49 under section 9004(d) (relating to imposition of tax, exemptions
50 and deductions) only if the electricity is derived from the
51 legal residence of the owner or registrant.

1 (h) Liability for unpaid tax amounts.--The owner or
2 registrant of an electric vehicle subject to the electric
3 vehicle road user charge under this section shall not be liable
4 for any unpaid tax amount owed to the department from the legal
5 residence of the owner or registrant prior to the effective date
6 of this section for the tax imposed under section 9004(d).

7 (i) Liens, penalties and interest prohibited.--The
8 department may not impose liens, penalties or interest on the
9 owner or registrant of an electric vehicle subject to the
10 electric vehicle road user charge under this section for any
11 unpaid tax amount owed to the department from the legal
12 residence of the owner or registrant prior to the effective date
13 of this subsection for the tax imposed under section 9004(d).

14 (j) Criminal penalties and fines prohibited.--The owner of
15 an electric vehicle subject to the electric vehicle road user
16 charge under this section shall not be subject to any criminal
17 penalties or fines under this chapter for any unpaid tax amounts
18 owed to the department from the legal residence of the owner or
19 registrant prior to the effective date of this section for the
20 tax imposed under section 9004(d).

21 (k) Charges for highway maintenance and construction.--The
22 electric vehicle road user charge collected by the department
23 under this section shall be transmitted to the State Treasurer
24 for deposit into the Motor License Fund in accordance with the
25 allocations under section 9511 (relating to allocation of
26 proceeds). For purposes of aligning the electric vehicle road
27 user charge with the allocations of proceeds, the electric
28 vehicle road user charge must be allocated in accordance with
29 the oil company franchise tax for highway maintenance and
30 construction under section 9502 (relating to imposition of tax).

31 (l) Exceptions.--Owners or registrants of electric vehicles
32 consistent with subsection (a) that are owners or registrants
33 under section 9004(e) are exempt from paying the electric
34 vehicle road user charge.

35 (m) Regulations.--The Department of Transportation may
36 promulgate regulations to implement this section.

37 (n) Definitions.--As used in this section, the following
38 words and phrases shall have the meanings given to them in this
39 subsection unless the context clearly indicates otherwise:

40 "Electric vehicle." The term shall not include a golf cart,
41 neighborhood electric vehicle and motorcycle.

42 Section 4. This act shall take effect January 1, 2024, or
43 immediately, whichever is later.