AN ACT

To enact Part II-A of Chapter 3 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:461, relative to an annual road usage fee on certain vehicles; to levy a road usage fee on electric and hybrid motor vehicles; to provide for the administration, collection, and disposition of fees; to provide for rulemaking authority; to provide for certain definitions; to provide for the use of road usage fee proceeds; to provide for a special effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part II-A of Chapter 3 of Title 32 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:461, is hereby enacted to read as follows:

PART II-A. ELECTRIC VEHICLES AND HYBRID VEHICLES

§461. Imposition of road usage fee; electric vehicles; hybrid vehicles; administration and collection; use of proceeds

A.(1) There is hereby levied a road usage fee not to exceed one hundred ten dollars per year on each electric vehicle which is operated upon the highways of this state and which is required to be registered in accordance with the provisions of Chapter 4 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, as amended.

(2) There is hereby levied a road usage fee not to exceed sixty dollars per year on each hybrid vehicle which is operated upon the highways of this state and which is required to be registered in accordance with the provisions of Chapter 4 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, as amended.

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(3) Notwithstanding the provisions of Paragraphs (1) and (2) of this Subsection, an electric vehicle or hybrid vehicle that is a school bus primarily used to transport Louisiana students shall be exempt from the fee imposed by this Subsection.

B. For purposes of this Section, the following terms shall have the following meanings unless the context clearly indicates otherwise:

(1) "Electric vehicle" shall mean a vehicle which is powered by one or more electric motors or energy stored in rechargeable batteries for propulsion.

(2) "Hybrid vehicle" shall mean a vehicle that uses gasoline, diesel fuel, or special fuels in combination with an electric motor for propulsion.

(3) "Owner" shall have the same meaning as defined by R.S. 47:451.

(4) "Secretary" shall mean the secretary of the Louisiana Department of Revenue.

C. Administration and collection of the road usage fee.

(1) The fees imposed by Subsection A of this Section shall be paid by the owner of the electric vehicle and the owner of the hybrid vehicle on a calendar year basis. The fee shall be due on or before May 15th for the preceding year in which the electric vehicle or hybrid vehicle was operated upon the highways of this state.

(2) The secretary shall administer and is authorized to collect the fees imposed by Subsection A of this Section with all the duties and powers authorized by Chapter 18 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, as amended.

(3) In consultation with the secretary of the Department of Transportation and Development, the secretary shall promulgate rules in accordance with the Administrative Procedure Act relative to the following:

(a) To develop a prorated fee schedule applicable to electric vehicles and hybrid vehicles that are registered to be operated upon the highways of this state for less than one year. The fee schedule may consider mileage, weight, days operated, and other relevant factors to reasonably determine a fee that is commensurate and in proportion with actual road usage in this state.
(b) To prescribe and publish forms, schedules, and methods upon which the fee levied pursuant to this Section may be reported and remitted to the secretary, including through the use of existing forms and schedules.

(c) To provide for collection and administrative procedures that the secretary determines necessary to administer this Section.

D. The proceeds of the fees imposed by Subsection A of this Section shall be deposited as follows:

(1) Seventy percent of the proceeds shall be deposited into the Construction Subfund of the Transportation Trust Fund for use by the Department of Transportation and Development on road and bridge preservation projects included in the Highway Priority Program in accordance with the Department of Transportation and Development's definitions of such projects.

(2) Thirty percent of the proceeds shall be deposited into the Parish Transportation Fund and distributed to local governments in accordance with the formula set forth in R.S. 48:756. Amounts distributed may be used by local governments for any purpose that is a permitted use of funds received from the Parish Transportation Fund.

Section 2. The provisions of this Act shall be effective January 1, 2023.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: ____________________

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