

2024 Regular Session

HOUSE BILL NO. 645

BY REPRESENTATIVE FREIBERG

1 AN ACT

2 To amend and reenact R.S. 32:461(A)(1) and (2), (B)(3), and (C) and to repeal R.S.
3 32:461(B)(4), relative to road usage fee collection; to provide for collection and
4 administration of the road usage fee on hybrid and electric vehicles; to provide
5 certain definitions; to provide for the rate of fees; to provide for a special effective
6 date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:461(A)(1) and (2), (B)(3), and (C) are hereby amended and
9 reenacted to read as follows:

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

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

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

22 * * *

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

3 * * *

4 (3) ~~"Owner" shall have the same meaning as defined by R.S. 47:451~~
5 "Registration license tax" shall have the meaning provided for in Chapter 4 of
6 Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, as amended.

7 C. Administration and collection of the road usage fee.

8 (1) ~~The fees imposed by Subsection A of this Section shall be paid by the~~
9 ~~owner of the electric vehicle and the owner of the hybrid vehicle on a calendar year~~
10 ~~basis. The fee shall be due on or before May 15th for the preceding year in which~~
11 ~~the electric vehicle or hybrid vehicle was operated upon the highways of this state~~
12 The commissioner of the office of motor vehicles or an agent authorized to collect
13 the registration license tax pursuant to R.S. 47:532.1, shall collect the fee levied
14 pursuant to the provisions of this Section at the same time, for the same period, and
15 in the same manner as the registration license tax.

16 (2) ~~The secretary shall administer and is authorized to collect the fees~~
17 ~~imposed by Subsection A of this Section with all the duties and powers authorized~~
18 ~~by Chapter 18 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950,~~
19 ~~as amended~~ The commissioner of the office of motor vehicles may promulgate rules
20 in accordance with the Administrative Procedure Act to provide for collection and
21 administrative procedures that the commissioner determines necessary to administer
22 this Section, including procedures for the collection of the road usage fee applicable
23 to vehicles first registered in the state during calendar year 2025.

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

27 (a) ~~To develop a prorated fee schedule applicable to electric vehicles and~~
28 ~~hybrid vehicles that are registered to be operated upon the highways of this state for~~
29 ~~less than one year. The fee schedule may consider mileage, weight, days operated,~~

1 ~~and other relevant factors to reasonably determine a fee that is commensurate and in~~
2 ~~proportion with actual road usage in this state.~~

3 ~~(b) To prescribe and publish forms, schedules, and methods upon which the~~
4 ~~fee levied pursuant to this Section may be reported and remitted to the secretary,~~
5 ~~including through the use of existing forms and schedules.~~

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

8 * * *

9 Section 2. R.S. 32:461(B)(4) is hereby repealed in its entirety.

10 Section 3. The provisions of this Act shall be applicable to each hybrid and electric
11 vehicle subject to the registration license tax on or after January 1, 2026. The responsibility
12 for collection and oversight shall transfer from the secretary of the Department of Revenue
13 to the commissioner of the office of motor vehicles on January 1, 2026. However, the
14 commissioner shall be authorized to take whatever preliminary steps are necessary to
15 implement the provisions of this Act.

16 Section 4. This Act shall become effective upon signature by the governor or, if not,
17 signed by the governor, as provided by Article III, Section 18 of the Constitution of
18 Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act
19 shall become effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA