

2021 Regular Session

HOUSE BILL NO. 582

BY REPRESENTATIVES MCFARLAND AND BUTLER

TAX/GASOLINE TAX: Dedicates a portion of the existing tax levied on gasoline and diesel into the Construction Subfund and imposes a one-time road-use fee on electric and hybrid vehicles

1 AN ACT

2 To enact Part II-A of Chapter 3 of Title 32 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 32:461, and R.S. 47:818.12(E), relative to transportation projects;
4 to provide for the funding of transportation projects; to provide for the excise tax
5 levied on gasoline and diesel; to require a portion of the excise tax levied on gasoline
6 and diesel to be dedicated into the Construction Subfund of the Transportation Trust
7 Fund; to impose a road-use fee on electric and hybrid motor vehicles; to provide for
8 the collection and disposition of the proceeds; to provide for certain definitions; to
9 provide for requirements and limitations; to provide for an effective date; and to
10 provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. Part II-A of Chapter 3 of Title 32 of the Louisiana Revised Statutes of
13 1950, comprised of R.S. 32:461, is hereby enacted to read as follows:

14 PART II-A. ELECTRIC VEHICLES AND HYBRID VEHICLES

15 §461. Electric vehicles; hybrid vehicles; imposition of a road-use fee; collection;
16 use of proceeds

17 A.(1) There is hereby levied a one-time road use fee of one thousand dollars
18 on each electric vehicle which is operated upon the highways of this state and which
19 is required to be registered and to pay registration license tax in accordance with the
20 provisions of Chapter 4 of Subtitle II of this Title.

related payments under any interest rate swap agreements secured by the avails of the tax must be satisfied. Further provides that the avails of the tax continue to be pledged and available to pay the requirements associated with bonds, refunding bonds, or interest rate swap agreements as provided in present constitution.

Electric Vehicles and Hybrid Vehicles

Proposed law imposes a one-time road use fee of \$1,000 on each electric vehicle and one-time road-use fee of \$500 on each hybrid vehicle which is operated upon the highways of this state and which is required to be registered and to pay registration license tax in accordance with present law. Further requires the fee to be collected by the motor vehicle dealer from the purchaser at the time of sale of a new or used electric vehicle or hybrid vehicle and remitted to the office of motor vehicles in the same manner as all sales and use taxes are collected.

Proposed law requires the commissioner of motor vehicles to deposit the proceeds of the fees collected into the treasury. After compliance with the requirements of the present constitution, the treasurer shall deposit an amount equal to the proceeds of the fee imposed into the Construction Subfund of the TTF.

Proposed law defines an "electric vehicle" as a vehicle powered by one or more electric motors or energy stored in rechargeable batteries for propulsion and defines a "hybrid vehicle" as a vehicle that uses gasoline, diesel fuel, or special fuels in combination with an electric motor for propulsion.

Effective on July 1, 2021.

(Adds R.S. 32:461 and R.S. 47:818.12(E))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Ways and Means to the original bill:

1. Delete repeal of the 16¢ per gallon tax on gasoline, diesel, and special fuels.
2. Delete the levy of a new 16¢ per gallon tax on gasoline, diesel, and special fuels.
3. Beginning July 1, 2021, dedicate \$120M of the avails of the tax levied on gasoline and diesel in present law into the Construction Subfund of the TTF after all requirements associated with bonds, refunding bonds, and all required and related payments under any interest rate swap agreements secured by the avails of the tax are satisfied.
4. Delete the annual tax of \$200 per year levied on each electric vehicle and the annual tax of \$100 per year on each hybrid vehicle operated on state highways which are required to be registered and to pay registration license tax in accordance with present law.
5. Impose a one-time road use fee of \$1,000 on each electric vehicle and one-time road use fee of \$500 on each hybrid vehicle which is operated upon the highways of this state and which is required to be registered and to pay registration license tax in accordance with present law.
6. Change the collection of the fee from the office of motor vehicles every two years to motor vehicle dealers to be collected from the purchaser at the time of sale of a new or used electric vehicle or hybrid vehicle.

7. Delete provisions requiring the legislative auditor to commence a comprehensive audit of the Dept. of Transportation and Development to review the department's operations, organizational efficiency, and performance in regard to the department's utilization of operating revenues and to review the use of the avails of the taxes deposited into the Construction Subfund of the TTF.