

ACT No. 578

2022 Regular Session

HOUSE BILL NO. 1031

BY REPRESENTATIVE FREIBERG

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, relative to an annual road usage fee on certain vehicles;
4 to levy a road usage fee on electric and hybrid motor vehicles; to provide for the
5 administration, collection, and disposition of fees; to provide for rulemaking
6 authority; to provide for certain definitions; to provide for the use of road usage fee
7 proceeds; to provide for a special effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Part II-A of Chapter 3 of Title 32 of the Louisiana Revised Statutes of
10 1950, comprised of R.S. 32:461, is hereby enacted to read as follows:

11 PART II-A. ELECTRIC VEHICLES AND HYBRID VEHICLES

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

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

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

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

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

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

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

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

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

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

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

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

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

26 (a) To develop a prorated fee schedule applicable to electric vehicles and
27 hybrid vehicles that are registered to be operated upon the highways of this state for
28 less than one year. The fee schedule may consider mileage, weight, days operated,
29 and other relevant factors to reasonably determine a fee that is commensurate and in
30 proportion with actual road usage in this state.

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

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

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

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

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

18 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: _____