

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

4 HOUSE BILL 2638

By: Roberts (Dustin) of the
House

5
6 and

7 Bice of the Senate

8
9
10 AS INTRODUCED

11 **[motor vehicle registrations - creating the Motor**
12 **Fuels Tax Fee - registration fee - electric-drive -**
13 **hybrid-drive motor vehicles]**

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16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1132.8 of Title 47, unless there
19 is created a duplication in numbering, reads as follows:

20 A. In addition to other vehicle registration fees specified by
21 law, for the year beginning January 1, 2019, and for each year
22 thereafter, there is hereby levied and there shall be paid to the
23 Oklahoma Tax Commission a Motor Fuels Tax Fee of:

1 1. One Hundred Fifty Dollars (\$150.00) upon every electric-
2 drive motor vehicle to be registered; and

3 2. Thirty Dollars (\$30.00) upon every hybrid-drive motor
4 vehicle to be registered.

5 The fee shall accrue and shall be collectible upon each
6 electric-drive motor vehicle and hybrid-drive motor vehicle under
7 the same circumstances and shall be payable in the same manner and
8 times as apply to vehicle registrations under the provisions of the
9 Oklahoma Vehicle License and Registration Act; provided, the fee
10 shall be paid in full for the then current year at the time any
11 electric-drive motor vehicle or hybrid-drive motor vehicle is first
12 registered in a calendar year.

13 B. The collection and payment of the fee specified in this
14 section shall be a prerequisite to licensing or registration of any
15 electric-drive motor vehicle or hybrid-drive motor vehicle.

16 C. Revenue from the fee provided for in subsection A of this
17 section shall be deposited in the State Treasury to the credit of
18 the State Highway Construction and Maintenance Fund created in
19 Section 1501 of Title 69 of the Oklahoma Statutes.

20 D. For purposes of this section:

21 1. "Electric-drive motor vehicle" means a vehicle subject to a
22 registration fee as provided for in subsection A of Section 1132 of
23 Title 47 of the Oklahoma Statutes that is propelled solely by
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1 electrical energy and is not capable of using gasoline, diesel or
2 any other fuel for propulsion; and

3 2. "Hybrid-drive motor vehicle" means a vehicle subject to a
4 registration fee as provided for in subsection A of Section 1132 of
5 Title 47 of the Oklahoma Statutes that is capable of being propelled
6 at least in part by electrical energy through the use of a battery
7 storage system of at least four (4) kilowatt-hours, is capable of
8 being recharged from an external source of electricity and is also
9 capable of using gasoline, diesel fuel or alternative fuel to propel
10 the vehicle.

11 SECTION 2. AMENDATORY 69 O.S. 2011, Section 1501, as
12 amended by Section 2, Chapter 347, O.S.L. 2017 (69 O.S. Supp. 2017,
13 Section 1501), is amended to read as follows:

14 Section 1501. (a) All monies received by taxation or otherwise
15 for use on the state highways of this state shall, unless otherwise
16 provided by law, be placed in the State Treasury in a fund to be
17 known as the State Highway Construction and Maintenance Fund. ~~The~~
18 ~~fund shall also consist of revenues specifically apportioned to such~~
19 ~~fund by provisions of the Oklahoma Statutes.~~ The fund shall also
20 consist of revenues specifically apportioned to such fund by
21 provisions of the Oklahoma Statutes.

22 (b) All monies remaining in the State Highway Construction and
23 Maintenance Fund created by 69 O.S. 1961, Section 44(d), when this
24 Code becomes effective, and all other assets thereof, and all taxes,

1 revenue and other funds payable to or required to be deposited in
2 such fund under the provisions of other laws when this Code becomes
3 effective, shall be transferred to, be deposited in and be a part of
4 the State Highway Construction and Maintenance Fund created by this
5 section; and the latter fund shall be liable for the payment of all
6 outstanding obligations existing against the former fund.

7 ~~(c) Of the monies deposited in the State Highway Construction~~
8 ~~and Maintenance Fund pursuant to the apportionment of Motor Fuels~~
9 ~~Tax Fees provided in Section 1 of this act, the lesser of Ten~~
10 ~~Thousand Dollars (\$10,000.00) and one and one-half percent (1 1/2%)~~
11 ~~of such monies may be used for the development and maintenance of~~
12 ~~alternative fuel corridors as defined by the Federal Highway~~
13 ~~Administration~~ Of the monies deposited in the State Highway
14 Construction and Maintenance Fund pursuant to the apportionment of
15 Motor Fuels Tax Fees provided in Section 1 of this act, the lesser
16 of Ten Thousand Dollars (\$10,000.00) and one and one-half percent (1
17 1/2%) of such monies may be used for the development and maintenance
18 of alternative fuel corridors as defined by the Federal Highway
19 Administration.

20 SECTION 3. REPEALER Section 1, Chapter 347, O.S.L. 2017
21 (47 O.S. Supp. 2017, Section 1132.7), is hereby repealed.
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23 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
24 02/20/2018 - DO PASS, As Amended and Coauthored.