

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 1950

By: Roberts (Dustin)

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6 AS INTRODUCED

7 An Act relating to motor fuel tax fees; re-creating
8 the Motor Fuels Tax Fee; establishing fee as a
9 registration fee for certain types of vehicles;
10 providing fee amount; clarifying circumstances and
11 manner in which fee shall be paid; making fee a
12 prerequisite to licensing and registration;
13 apportioning fee revenue; defining terms; amending 69
14 O.S. 2011, Section 1501, as amended by Section 2,
15 Chapter 347, O.S.L. 2017 (69 O.S. Supp. 2018, Section
16 1501), which relates to the State Highway
17 Construction and Maintenance Fund; modifying
18 apportionment; repealing Section 1, Chapter 347,
19 O.S.L. 2017 (47 O.S. Supp. 2018, Section 1132.7),
20 which relates to the Motor Fuels Tax Fee; providing
21 for codification; and providing an effective date.

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

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

A. In addition to other vehicle registration fees specified by
law, for the year beginning January 1, 2020, and for each year
thereafter, there is hereby levied and there shall be paid to the
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;

3 2. Sixty Dollars (\$60.00) upon every plug-in hybrid-drive motor
4 vehicle to be registered; and

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

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

16 B. The collection and payment of the fee specified in this
17 section shall be a prerequisite to licensing or registration of any
18 electric-drive motor vehicle, plug-in hybrid-drive motor vehicle or
19 hybrid-drive motor vehicle.

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

24 D. For purposes of this section:

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

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

14 3. "Hybrid-drive motor vehicle" means a vehicle subject to a
15 registration fee as provided for in subsection A of Section 1132 of
16 Title 47 of the Oklahoma Statutes that draws propulsion energy from
17 onboard sources of stored energy that are both an internal
18 combustion or heat engine using consumable fuel such as gasoline or
19 diesel and a rechargeable energy storage system, and is not capable
20 of being recharged from an external source of electricity.

21 SECTION 2. AMENDATORY 69 O.S. 2011, Section 1501, as
22 amended by Section 2, Chapter 347, O.S.L. 2017 (69 O.S. Supp. 2018,
23 Section 1501), is amended to read as follows:

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1 Section 1501. ~~(a)~~ A. All monies received by taxation or
2 otherwise for use on the state highways of this state shall, unless
3 otherwise provided by law, be placed in the State Treasury in a fund
4 to be known as the State Highway Construction and Maintenance Fund.
5 The fund shall also consist of revenues specifically apportioned to
6 such fund by provisions of the Oklahoma Statutes.

7 ~~(b)~~ B. All monies remaining in the State Highway Construction
8 and Maintenance Fund created by 69 O.S. 1961, Section 44(d), when
9 this Code becomes effective, and all other assets thereof, and all
10 taxes, revenue and other funds payable to or required to be
11 deposited in such fund under the provisions of other laws when this
12 Code becomes effective, shall be transferred to, be deposited in and
13 be a part of the State Highway Construction and Maintenance Fund
14 created by this section; and the latter fund shall be liable for the
15 payment of all outstanding obligations existing against the former
16 fund.

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

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SECTION 3. REPEALER Section 1, Chapter 347, O.S.L. 2017
(47 O.S. Supp. 2018, Section 1132.7), is hereby repealed.

SECTION 4. This act shall become effective November 1, 2019.

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