

An Act

ENROLLED HOUSE
BILL NO. 1449

By: Roberts (Dustin) of the
House

and

Bice of the Senate

An Act relating to motor vehicle registrations; creating the Motor Fuels Tax Fee; establishing fee as a registration fee for certain types of vehicles; providing fee amount; clarifying circumstances and manner in which fee shall be paid; making fee a prerequisite to licensing and registration; apportioning fee revenue; defining terms; amending 69 O.S. 2011, Section 1501, which relates to the State Highway Construction and Maintenance Fund; allowing fund to receive certain apportionment; authorizing certain expenditures; providing for codification; and providing an effective date.

SUBJECT: Motor vehicle registrations

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 1132.7 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, 2018, 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. One Hundred Dollars (\$100.00) upon every electric-drive motor vehicle to be registered; and

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

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

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

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

D. For purposes of this section:

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

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

SECTION 2. AMENDATORY 69 O.S. 2011, Section 1501, is amended to read as follows:

Section 1501. (a) All monies received by taxation or otherwise for use on the state highways of this state shall, unless otherwise provided by law, be placed in the State Treasury in a fund to be known as the State Highway Construction and Maintenance Fund. The

fund shall also consist of revenues specifically apportioned to such fund by provisions of the Oklahoma Statutes.

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

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

SECTION 3. This act shall become effective November 1, 2017.

Passed the House of Representatives the 22nd day of May, 2017.

Presiding Officer of the House
of Representatives

Passed the Senate the 25th day of May, 2017.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____