
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 656 Session of
2023

INTRODUCED BY ROTHMAN AND DUSH, MAY 1, 2023

REFERRED TO TRANSPORTATION, MAY 1, 2023

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in liquid fuels and fuels tax, further providing
3 for definitions and providing for electric vehicle road use
4 fee; and making editorial changes.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Chapter 90 of Title 75 of the Pennsylvania
8 Consolidated Statutes is amended by adding a subchapter heading
9 to read:

10 SUBCHAPTER A

11 PRELIMINARY PROVISIONS

12 Section 2. Section 9002 of Title 75 is amended by adding
13 definitions to read:

14 § 9002. Definitions.

15 The following words and phrases when used in this chapter
16 shall have the meanings given to them in this section unless the
17 context clearly indicates otherwise:

18 * * *

19 "Electric vehicle." The term includes an electric vehicle

1 and hybrid electric vehicle. The term does not include a
2 qualified motor vehicle as defined under section 2101.1
3 (relating to definitions) or neighborhood electric vehicle as
4 defined under section 102 (relating to definitions).

5 "Electric vehicle road use fee." The annual fee imposed
6 under Subchapter C (relating to electric vehicle road use fee)
7 in place of a tax on alternative fuels assessed upon electricity
8 used in an electric vehicle.

9 "Exempt entity." A person exempt under section 9004(e)
10 (relating to imposition of tax, exemptions and deductions) from
11 reporting and paying a tax on liquid fuels, fuels or alternative
12 fuels imposed by this chapter.

13 * * *

14 Section 3. Chapter 90 of Title 75 is amended by adding
15 subchapters to read:

16 SUBCHAPTER B

17 (Reserved)

18 SUBCHAPTER C

19 ELECTRIC VEHICLE ROAD USE FEE

20 Sec.

21 9031. Scope of subchapter.

22 9032. Road use fee imposed on electric vehicles.

23 9033. Electricity used in electric vehicles.

24 9034. Fees for highway maintenance and construction.

25 9035. Exempt entities.

26 9036. Refunds.

27 9037. Regulations.

28 § 9031. Scope of subchapter.

29 This subchapter relates to the electric vehicle road use fee.

30 § 9032. Road use fee imposed on electric vehicles.

1 (a) Fee required for registration.--

2 (1) Concurrent with submitting an annual or biennial
3 vehicle registration application and fee to the Department of
4 Transportation under section 1301 (relating to registration
5 and certificate of title required), an owner of an electric
6 vehicle shall submit the electric vehicle road use fee.

7 (2) Registration may not be considered complete without
8 payment in full of the electric vehicle road use fee.

9 (3) The electric vehicle road use fee shall be paid upon
10 initial registration and upon renewal for each electric
11 vehicle registered in this Commonwealth.

12 (b) Computation of electric vehicle road use fee.--

13 (1) The electric vehicle road use fee for a hybrid
14 electric vehicle with a gross vehicle weight rating of not
15 more than 26,000 pounds, but not a motorcycle, shall be \$75
16 per year.

17 (2) The electric vehicle road use fee for an electric
18 vehicle with a gross vehicle weight rating of not more than
19 26,000 pounds, but not a motorcycle, shall be \$380 per year.
20 For purposes of this paragraph, an electric vehicle shall not
21 include a hybrid electric vehicle.

22 (3) The electric vehicle road use fee for an electric
23 vehicle with a gross vehicle weight rating of 26,001 pounds
24 or more shall be \$450 per year.

25 § 9033. Electricity used in electric vehicles.

26 Electricity used in an electric vehicle that propels a
27 vehicle on public highways is not considered a liquid fuel, fuel
28 or alternative fuel as defined under this chapter.

29 § 9034. Fees for highway maintenance and construction.

30 Fees collected under this subchapter shall be deposited into

1 the Motor License Fund in accordance with the allocations under
2 section 9511 (relating to allocation of proceeds). For purposes
3 of aligning the electric vehicle road use fee with the
4 allocations of proceeds, the electric vehicle road use fee must
5 be allocated in accordance with the oil company franchise tax
6 for highway maintenance and construction under section 9502
7 (relating to imposition of tax).

8 § 9035. Exempt entities.

9 (a) Exemption.--An electric vehicle registered to an exempt
10 entity under section 9004(e) (relating to imposition of tax,
11 exemptions and deductions) is exempt from paying the electric
12 vehicle road use fee.

13 (b) Requirements.--

14 (1) If an electric vehicle registered to an exempt
15 entity is used for a nonexempt purpose during the
16 registration year, the exempt entity shall pay an
17 administrative penalty of \$500 to the department. An exempt
18 entity that improperly uses a vehicle for nonexempt purposes
19 is not eligible to claim a refund for the vehicle under the
20 provisions of section 9036 (relating to refunds).

21 (2) An exempt entity applying for a refund under section
22 9036 shall maintain records of vehicle usage, certifying that
23 an individual trip made by the vehicle was for a qualified
24 exempt use. Individual trip logs, odometer readings and
25 driver signatures shall be among the records required to
26 substantiate exempt use.

27 (3) The department may inspect the substantiating
28 records for an exempt entity at any time.

29 (4) The exempt entity shall cooperate with an agent of
30 the department in an inspection under paragraph (3).

1 (5) An exempt entity that refuses to permit the
2 department or an agent appointed by the department in writing
3 to examine the books, records, papers or other equipment
4 associated with the operation of an electric vehicle as
5 permitted under paragraph (3) commits a summary offense and
6 shall pay a fine of \$500 for each electric vehicle owned or
7 operated by the exempt entity.

8 § 9036. Refunds.

9 A person may be entitled to a refund of the electric vehicle
10 road use fee paid for a vehicle that would otherwise have been
11 exempt under section 9004 (relating to imposition of tax,
12 exemptions and deductions). A person entitled to a refund of the
13 electric vehicle road use fee shall apply for an annual refund
14 in a manner similar to the refund process used for liquid fuels,
15 fuels and alternative fuels under section 9017 (relating to
16 refunds).

17 § 9037. Regulations.

18 The department, in coordination with the Department of
19 Transportation, may promulgate regulations to implement this
20 subchapter.

21 Section 4. This act shall take effect in 180 days.