
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 656 Session of 2023

INTRODUCED BY ROTHMAN, DUSH AND J. WARD, MAY 1, 2023

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
DECEMBER 12, 2023

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in general provisions, further providing for
3 definitions; in liquid fuels and fuels tax, further providing
4 for definitions and providing for electric vehicle road user
5 charge; and imposing a penalty.

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

8 Section 1. The definitions of "electric vehicle" and "hybrid
9 electric vehicle" in section 102 of Title 75 of the Pennsylvania
10 Consolidated Statutes are amended and the section is amended by
11 adding definitions to read:

12 § 102. Definitions.

13 Subject to additional definitions contained in subsequent
14 provisions of this title which are applicable to specific
15 provisions of this title, the following words and phrases when
16 used in this title shall have, unless the context clearly
17 indicates otherwise, the meanings given to them in this section:

18 * * *

19 "Battery." An energy power storage system that stores

1 electrical energy within the system's constituent parts.

2 * * *

3 "Electric vehicle." [A motor vehicle which operates solely
4 by use of a battery or battery pack and which meets the
5 applicable Federal motor vehicle safety standards. The term
6 includes a motor vehicle which is powered mainly through the use
7 of an electric battery or battery pack but which uses a flywheel
8 that stores energy produced by the electric motor or through
9 regenerative braking to assist in operation of the motor
10 vehicle.] A motor vehicle that delivers power to its drive wheel
11 or wheels solely by use of a battery-powered electric motor. The
12 term does not include qualified motor vehicles as defined under
13 section 2101.1 (relating to definitions).

14 * * *

15 "Hybrid electric vehicle." [An electric vehicle which allows
16 power to be delivered to the drive wheels solely by a battery-
17 powered electric motor but which also incorporates the use of a
18 combustion engine to provide power to the battery and which
19 meets the applicable Federal motor vehicle safety standards. The
20 primary source of power for the motor must be the electric
21 battery or battery pack and not the combustion engine.] A motor
22 vehicle that can deliver power to the drive wheels solely by a
23 battery-powered electric motor, and which also incorporates the
24 use of another fuel to power a combustion engine. The term does
25 not include a vehicle capable of receiving energy from an
26 external source, such as an outlet or charging station. The term
27 does not include qualified motor vehicles as defined under
28 section 2101.1.

29 * * *

30 "Plug-in hybrid electric vehicle." A motor vehicle that can

1 deliver power to the drive wheels solely by a battery-powered
2 electric motor and which also incorporates the use of another
3 fuel to power a combustion engine. The battery of the vehicle
4 must be capable of receiving energy from an external source,
5 such as an outlet or charging station. The term does not include
6 qualified motor vehicles as defined under section 2101.1.

7 * * *

8 Section 2. The definition of "person" in section 9002 of
9 Title 75 is amended to read:

10 § 9002. Definitions.

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

14 * * *

15 "Person." Every natural person, Commonwealth agency,
16 political subdivision, firm, copartnership, association or
17 corporation. Whenever used in any provision prescribing and
18 imposing a fine or imprisonment, the [term as applied to
19 associations means the partners or members and as applied to
20 corporations means the officers thereof.] terms firm,
21 copartnership, association and corporation shall be subject to
22 18 Pa.C.S. § 307 (relating to liability of organizations and
23 certain related persons).

24 * * *

25 Section 3. Title 75 is amended by adding a section to read:
26 § 9024. Electric vehicle road user charge.

27 (a) Imposition.--Owners or registrants of noncommercial
28 passenger electric vehicles with a gross vehicle weight rating
29 of not more than 14,000 pounds shall pay an electric vehicle
30 road user charge of \$290 per year, which shall be concurrent

1 with paying the vehicle registration fee imposed under Chapter
2 13 (relating to registration of vehicles).

3 (b) New or temporary electric vehicle registration.--New or
4 temporary registration for an electric vehicle issued on or
5 after the effective date of this subsection shall be subject to
6 the electric vehicle road user charge imposed under subsection
7 (a). The Department of Transportation shall send a form to the
8 owner or registrant for the payment of the electric vehicle road
9 user charge for the initial registration consistent with Chapter
10 13.

11 (c) Renewal of electric vehicle registration.--At least 60
12 days prior to the expiration of registration for an electric
13 vehicle under subsection (a), the Department of Transportation
14 shall send to the owner or registrant a form for the payment of
15 the electric vehicle road user charge for the renewal of
16 registration consistent with Chapter 13.

17 (d) Enrollment.--

18 (1) The Department of Transportation shall permit owners
19 or registrants of electric vehicles under subsection (a) to
20 pay the electric vehicle road user charge as follows:

21 (i) Enroll in a flat charge of \$290 per year
22 provided by credit or debit card, electronic funds
23 transfer or check or money order to the Department of
24 Transportation. Owners or registrants who elect this
25 option may enroll in a paper form prescribed and
26 furnished by the Department of Transportation instead of
27 electronically.

28 (ii) Enroll in an electronic payment plan of \$24.17
29 per month by credit or debit card or electronic funds
30 transfer to the Department of Transportation.

1 (2) The charges under paragraph (1)(i) and (ii) shall
2 not include a Federal tax, fee, levy or charge, and an owner
3 or registrant of an electric vehicle shall be responsible for
4 paying any tax, fee, levy or charge imposed by the Congress
5 of the United States after the effective date of this
6 paragraph.

7 (e) Concurrent registration.--The registration of electric
8 vehicles shall not be valid unless the owner or registrant
9 enrolls in a payment option under subsection (d).

10 (f) Penalty.--Failure to pay the electric vehicle road user
11 charge within 30 days of the enrollment date established by the
12 Department of Transportation shall result in the imposition of
13 penalties and a prohibition on renewal of the electric vehicle's
14 registration or transfer of title. The Department of
15 Transportation may not prohibit the renewal of a vehicle
16 registration under subsection (d)(1)(ii) if the electric
17 vehicle's owner or registrant is enrolled in a payment plan and
18 makes timely payments according to the schedule established by
19 the Department of Transportation.

20 (g) Residential exemption from alternative fuels tax.--
21 Electric vehicles subject to the electric vehicle road user
22 charge under subsection (a) are exempt from the tax imposed
23 under section 9004(d) (relating to imposition of tax, exemptions
24 and deductions) only if the electricity is derived from the
25 legal residence of the owner or registrant.

26 (h) Liability for unpaid tax amounts.--The owner or
27 registrant of an electric vehicle subject to the electric
28 vehicle road user charge under this section shall not be liable
29 for any unpaid tax amount owed to the department from the legal
30 residence of the owner or registrant prior to the effective date

1 of this section for the tax imposed under section 9004(d).

2 (i) Liens, penalties and interest prohibited.--The
3 department may not impose liens, penalties or interest on the
4 owner or registrant of an electric vehicle subject to the
5 electric vehicle road user charge under this section for any
6 unpaid tax amount owed to the department from the legal
7 residence of the owner or registrant prior to the effective date
8 of this subsection for the tax imposed under section 9004(d).

9 (j) Criminal penalties and fines prohibited.--The owner of
10 an electric vehicle subject to the electric vehicle road user
11 charge under this section shall not be subject to any criminal
12 penalties or fines under this chapter for any unpaid tax amounts
13 owed to the department from the legal residence of the owner or
14 registrant prior to the effective date of this section for the
15 tax imposed under section 9004(d).

16 (k) Charges for highway maintenance and construction.--The
17 electric vehicle road user charge collected by the department
18 under this section shall be transmitted to the State Treasurer
19 for deposit into the Motor License Fund in accordance with the
20 allocations under section 9511 (relating to allocation of
21 proceeds). For purposes of aligning the electric vehicle road
22 user charge with the allocations of proceeds, the electric
23 vehicle road user charge must be allocated in accordance with
24 the oil company franchise tax for highway maintenance and
25 construction under section 9502 (relating to imposition of tax).

26 (l) Exceptions.--Owners or registrants of electric vehicles
27 consistent with subsection (a) that are owners or registrants
28 under section 9004(e) are exempt from paying the electric
29 vehicle road user charge.

30 (m) Regulations.--The Department of Transportation may

1 promulgate regulations to implement this section.

2 (n) Definitions.--As used in this section, the following
3 words and phrases shall have the meanings given to them in this
4 subsection unless the context clearly indicates otherwise:

5 "Electric vehicle." The term shall not include a golf cart,
6 neighborhood electric vehicle ~~and motorcycle~~, MOTORCYCLE OR A <--
7 MOTOR VEHICLE WITH A MODEL YEAR OF 1990 OR OLDER.

8 Section 4. This act shall take effect January 1, 2024, or
9 immediately, whichever is later.