

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 656 Session of 2023

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

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 10, 2024

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 AMENDING TITLE 75 (VEHICLES) OF THE PENNSYLVANIA CONSOLIDATED <--
7 STATUTES, IN GENERAL PROVISIONS, FURTHER PROVIDING FOR
8 DEFINITIONS; IN LIQUID FUELS AND FUELS TAX, FURTHER PROVIDING
9 FOR DEFINITIONS AND FOR IMPOSITION OF TAX, EXEMPTIONS AND
10 DEDUCTIONS AND PROVIDING FOR ELECTRIC VEHICLE ROAD USER
11 CHARGE; AND IMPOSING A PENALTY.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 ~~Section 1. The definitions of "electric vehicle" and "hybrid~~ <--
15 ~~electric vehicle" in section 102 of Title 75 of the Pennsylvania~~
16 ~~Consolidated Statutes are amended and the section is amended by~~
17 ~~adding definitions to read:~~

18 ~~§ 102. Definitions.~~

19 ~~Subject to additional definitions contained in subsequent~~
20 ~~provisions of this title which are applicable to specific~~
21 ~~provisions of this title, the following words and phrases when~~
22 ~~used in this title shall have, unless the context clearly~~

1 ~~indicates otherwise, the meanings given to them in this section:~~

2 ~~* * *~~

3 ~~"Battery." An energy power storage system that stores~~
4 ~~electrical energy within the system's constituent parts.~~

5 ~~* * *~~

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

17 ~~* * *~~

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

1 ~~section 2101.1.~~

2 * * *

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

10 * * *

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

13 § 9002. Definitions.

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

17 * * *

18 "Person." Every natural person, Commonwealth agency,
19 political subdivision, firm, copartnership, association or
20 corporation. Whenever used in any provision prescribing and
21 imposing a fine or imprisonment, the [term as applied to
22 associations means the partners or members and as applied to
23 corporations means the officers thereof.] terms firm,
24 copartnership, association and corporation shall be subject to
25 18 Pa.C.S. § 307 (relating to liability of organizations and
26 certain related persons).

27 * * *

28 Section 3. Title 75 is amended by adding a section to read:

29 § 9024. Electric vehicle road user charge.

30 (a) Imposition. Owners or registrants of noncommercial

1 ~~passenger electric vehicles with a gross vehicle weight rating~~
2 ~~of not more than 14,000 pounds shall pay an electric vehicle~~
3 ~~road user charge of \$290 per year, which shall be concurrent~~
4 ~~with paying the vehicle registration fee imposed under Chapter~~
5 ~~13 (relating to registration of vehicles).~~

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

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

20 ~~(d) Enrollment.~~

21 ~~(1) The Department of Transportation shall permit owners~~
22 ~~or registrants of electric vehicles under subsection (a) to~~
23 ~~pay the electric vehicle road user charge as follows:~~

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

1 ~~(ii) Enroll in an electronic payment plan of \$24.17~~
2 ~~per month by credit or debit card or electronic funds~~
3 ~~transfer to the Department of Transportation.~~

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

10 ~~(e) Concurrent registration. The registration of electric~~
11 ~~vehicles shall not be valid unless the owner or registrant~~
12 ~~enrolls in a payment option under subsection (d).~~

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

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

29 ~~(h) Liability for unpaid tax amounts. The owner or~~
30 ~~registrant of an electric vehicle subject to the electric~~

1 ~~vehicle road user charge under this section shall not be liable~~
2 ~~for any unpaid tax amount owed to the department from the legal~~
3 ~~residence of the owner or registrant prior to the effective date~~
4 ~~of this section for the tax imposed under section 9004(d).~~

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

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

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

29 ~~(l) Exceptions. Owners or registrants of electric vehicles~~
30 ~~consistent with subsection (a) that are owners or registrants~~

1 ~~under section 9004(e) are exempt from paying the electric~~
2 ~~vehicle road user charge.~~

3 ~~(m) Regulations. The Department of Transportation may~~
4 ~~promulgate regulations to implement this section.~~

5 ~~(n) Definitions. As used in this section, the following~~
6 ~~words and phrases shall have the meanings given to them in this~~
7 ~~subsection unless the context clearly indicates otherwise:~~

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

11 ~~Section 4. This act shall take effect January 1, 2024, or~~
12 ~~immediately, whichever is later.~~

13 SECTION 1. THE DEFINITIONS OF "ELECTRIC VEHICLE" AND "HYBRID <--
14 ELECTRIC VEHICLE" IN SECTION 102 OF TITLE 75 OF THE PENNSYLVANIA
15 CONSOLIDATED STATUTES ARE AMENDED AND THE SECTION IS AMENDED BY
16 ADDING DEFINITIONS TO READ:

17 § 102. DEFINITIONS.

18 SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT
19 PROVISIONS OF THIS TITLE WHICH ARE APPLICABLE TO SPECIFIC
20 PROVISIONS OF THIS TITLE, THE FOLLOWING WORDS AND PHRASES WHEN
21 USED IN THIS TITLE SHALL HAVE, UNLESS THE CONTEXT CLEARLY
22 INDICATES OTHERWISE, THE MEANINGS GIVEN TO THEM IN THIS SECTION:

23 * * *

24 "BATTERY." AN ENERGY POWER STORAGE SYSTEM THAT STORES
25 ELECTRICAL ENERGY WITHIN THE SYSTEM'S CONSTITUENT PARTS.

26 * * *

27 "ELECTRIC VEHICLE." [A MOTOR VEHICLE WHICH OPERATES SOLELY
28 BY USE OF A BATTERY OR BATTERY PACK AND WHICH MEETS THE
29 APPLICABLE FEDERAL MOTOR VEHICLE SAFETY STANDARDS. THE TERM
30 INCLUDES A MOTOR VEHICLE WHICH IS POWERED MAINLY THROUGH THE USE

1 OF AN ELECTRIC BATTERY OR BATTERY PACK BUT WHICH USES A FLYWHEEL
2 THAT STORES ENERGY PRODUCED BY THE ELECTRIC MOTOR OR THROUGH
3 REGENERATIVE BRAKING TO ASSIST IN OPERATION OF THE MOTOR
4 VEHICLE.] A MOTOR VEHICLE THAT DELIVERS POWER TO ITS DRIVE WHEEL
5 OR WHEELS SOLELY BY USE OF A BATTERY-POWERED ELECTRIC MOTOR.

6 "ELECTRIC VEHICLE CHARGING STATION." A FACILITY OR EQUIPMENT
7 DESIGNED TO CHARGE, BY CONNECTIVE OR INDUCTIVE MEANS, A BATTERY
8 WITHIN AN ELECTRIC VEHICLE OR PLUG-IN HYBRID ELECTRIC VEHICLE BY
9 PERMITTING THE TRANSFER OF ELECTRICITY TO A BATTERY OR OTHER
10 STORAGE DEVICE IN AN ELECTRIC VEHICLE.

11 * * *

12 "HYBRID ELECTRIC VEHICLE." [AN ELECTRIC VEHICLE WHICH ALLOWS
13 POWER TO BE DELIVERED TO THE DRIVE WHEELS SOLELY BY A BATTERY-
14 POWERED ELECTRIC MOTOR BUT WHICH ALSO INCORPORATES THE USE OF A
15 COMBUSTION ENGINE TO PROVIDE POWER TO THE BATTERY AND WHICH
16 MEETS THE APPLICABLE FEDERAL MOTOR VEHICLE SAFETY STANDARDS. THE
17 PRIMARY SOURCE OF POWER FOR THE MOTOR MUST BE THE ELECTRIC
18 BATTERY OR BATTERY PACK AND NOT THE COMBUSTION ENGINE.] AS
19 FOLLOWS:

20 (1) A MOTOR VEHICLE USING A COMBUSTION ENGINE OR
21 REGENERATIVE BRAKING TO CHARGE A BATTERY TO DELIVER POWER TO:

22 (I) THE DRIVE WHEEL OR WHEELS; OR

23 (II) VEHICLE SYSTEMS OTHER THAN PROPULSION.

24 (2) THE TERM DOES NOT INCLUDE MOTOR VEHICLES CAPABLE OF
25 RECEIVING ENERGY FROM AN EXTERNAL SOURCE SUCH AS AN OUTLET OR
26 CHARGING STATION.

27 * * *

28 "PLUG-IN HYBRID ELECTRIC VEHICLE." A MOTOR VEHICLE THAT CAN
29 DELIVER POWER TO THE DRIVE WHEELS SOLELY BY A BATTERY-POWERED
30 ELECTRIC MOTOR BUT WHICH ALSO INCORPORATES THE USE OF ANOTHER

1 FUEL TO POWER A COMBUSTION ENGINE. THE BATTERY OF THE VEHICLE
2 MUST BE CAPABLE OF RECEIVING ENERGY FROM AN EXTERNAL SOURCE,
3 SUCH AS AN OUTLET OR CHARGING STATION.

4 * * *

5 SECTION 2. THE DEFINITIONS OF "ALTERNATIVE FUEL DEALER-USER"
6 AND "PERSON" IN SECTION 9002 OF TITLE 75 ARE AMENDED AND THE
7 SECTION IS AMENDED BY ADDING A DEFINITION TO READ:
8 § 9002. DEFINITIONS.

9 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
10 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
11 CONTEXT CLEARLY INDICATES OTHERWISE:

12 * * *

13 "ALTERNATIVE FUEL DEALER-USER." AS FOLLOWS:

14 (1) ANY PERSON WHO DELIVERS OR PLACES ALTERNATIVE FUELS
15 INTO THE FUEL SUPPLY TANK OR OTHER DEVICE OF A VEHICLE FOR
16 USE ON THE PUBLIC HIGHWAYS.

17 (2) THE TERM INCLUDES A PERSON THAT PROVIDES AN ELECTRIC
18 VEHICLE CHARGING STATION FOR PUBLIC USE, REGARDLESS OF
19 WHETHER COMPENSATION IS RECEIVED FOR THE PUBLIC USE.

20 (3) THE TERM DOES NOT INCLUDE A PERSON THAT PROVIDES AN
21 ELECTRIC VEHICLE CHARGING STATION USED EXCLUSIVELY TO CHARGE:

22 (I) ELECTRIC VEHICLES OR PLUG-IN HYBRID ELECTRIC
23 VEHICLES AT A PRIVATE RESIDENCE.

24 (II) ELECTRIC VEHICLES OR PLUG-IN HYBRID ELECTRIC
25 VEHICLES OWNED BY TENANTS, RESIDENTS OR VISITORS OF A
26 COMMON INTEREST DEVELOPMENT OR OTHER GROUP OF PRIVATE
27 RESIDENCES WITHIN A GEOGRAPHIC LOCATION.

28 (4) THE TERM DOES NOT INCLUDE AN OWNER OR REGISTRANT OF
29 AN ELECTRIC VEHICLE OR PLUG-IN HYBRID ELECTRIC VEHICLE
30 SUBJECT TO AN ELECTRIC VEHICLE ROAD USER CHARGE UNDER SECTION

1 9024 (RELATING TO ELECTRIC VEHICLE ROAD USER CHARGE).
2 * * *
3 "EXEMPT ENTITY." A PERSON EXEMPT UNDER SECTION 9004(E)
4 (RELATING TO IMPOSITION OF TAX, EXEMPTIONS AND DEDUCTIONS) FROM
5 REPORTING AND PAYING A TAX ON LIQUID FUELS, FUELS OR ALTERNATIVE
6 FUELS IMPOSED BY THIS CHAPTER.

7 * * *
8 "PERSON." EVERY NATURAL PERSON, FIRM, COPARTNERSHIP,
9 ASSOCIATION OR CORPORATION. WHENEVER USED IN ANY PROVISION
10 PRESCRIBING AND IMPOSING A FINE OR IMPRISONMENT, THE [TERM AS
11 APPLIED TO ASSOCIATIONS MEANS THE PARTNERS OR MEMBERS AND AS
12 APPLIED TO CORPORATIONS MEANS THE OFFICERS THEREOF.] TERMS FIRM,
13 COPARTNERSHIP, ASSOCIATION AND CORPORATION SHALL BE SUBJECT TO
14 18 PA.C.S. § 307 (RELATING TO LIABILITY OF ORGANIZATIONS AND
15 CERTAIN RELATED PERSONS). WITH RESPECT ONLY TO THE SALE OF
16 ALTERNATIVE FUELS, A COMMONWEALTH AGENCY AND A POLITICAL
17 SUBDIVISION MAY BE CONSIDERED A "PERSON."

18 * * *
19 SECTION 3. SECTION 9004(E) (4) OF TITLE 75 IS AMENDED AND
20 SUBSECTION (D) IS AMENDED BY ADDING A PARAGRAPH TO READ:
21 § 9004. IMPOSITION OF TAX, EXEMPTIONS AND DEDUCTIONS.

22 * * *
23 (D) ALTERNATIVE FUELS TAX.--
24 * * *
25 (3) NOTHING CONTAINED IN THIS CHAPTER SHALL BE CONSTRUED
26 TO:
27 (I) AFFECT THE DUTY OF AN ALTERNATIVE FUEL DEALER-
28 USER TO REPORT AND PAY TO THE DEPARTMENT THE TAX UNDER
29 THIS SUBSECTION FOR ELECTRICITY DELIVERED THROUGH AN
30 ELECTRIC VEHICLE CHARGING STATION PROVIDED BY THE

1 ALTERNATIVE FUEL DEALER-USER TO THE OWNER OR REGISTRANT
2 OF AN ELECTRIC VEHICLE OR PLUG-IN HYBRID ELECTRIC VEHICLE
3 THAT IS SUBJECT TO THE ELECTRIC VEHICLE ROAD USER CHARGE.

4 (II) PROHIBIT THE ALTERNATIVE FUEL DEALER-USER FROM
5 PASSING ONTO THE OWNER OR REGISTRANT OF AN ELECTRIC
6 VEHICLE OR PLUG-IN HYBRID ELECTRIC VEHICLE THAT IS
7 SUBJECT TO THE ELECTRIC VEHICLE ROAD USER CHARGE ANY
8 COSTS ASSOCIATED WITH THE REPORTING AND PAYMENT OF THE
9 TAX UNDER THIS SUBSECTION.

10 (E) EXCEPTIONS.--THE TAX IMPOSED UNDER SUBSECTIONS (B), (C)
11 AND (D) SHALL NOT APPLY TO LIQUID FUELS, FUELS OR ALTERNATIVE
12 FUELS:

13 * * *

14 (4) DELIVERED TO THIS COMMONWEALTH, A POLITICAL
15 SUBDIVISION, A VOLUNTEER FIRE COMPANY, A VOLUNTEER AMBULANCE
16 SERVICE, A VOLUNTEER RESCUE SQUAD, A SECOND CLASS COUNTY PORT
17 AUTHORITY, AN ELECTRIC COOPERATIVE CORPORATION AS DEFINED
18 UNDER 15 PA.C.S. § 7302(A) (RELATING TO APPLICATION OF
19 CHAPTER) OR A NONPUBLIC SCHOOL NOT OPERATED FOR PROFIT ON
20 PRESENTATION OF EVIDENCE SATISFACTORY TO THE DEPARTMENT.

21 * * *

22 SECTION 4. TITLE 75 IS AMENDED BY ADDING A SECTION TO READ:
23 § 9024. ELECTRIC VEHICLE ROAD USER CHARGE.

24 (A) IMPOSITION.--OWNERS OR REGISTRANTS OF ELECTRIC VEHICLES
25 AND PLUG-IN HYBRID ELECTRIC VEHICLES WITH A GROSS VEHICLE WEIGHT
26 RATING OF NOT MORE THAN 14,000 POUNDS SHALL PAY AN ANNUAL
27 ELECTRIC VEHICLE ROAD USER CHARGE AS PROVIDED UNDER SUBSECTION
28 (C.1), WHICH SHALL BE CONCURRENT WITH PAYING THE VEHICLE
29 REGISTRATION FEE IMPOSED UNDER CHAPTER 13 (RELATING TO
30 REGISTRATION OF VEHICLES).

1 (B) NEW OR TEMPORARY VEHICLE REGISTRATION.--NEW OR TEMPORARY
2 REGISTRATION FOR AN ELECTRIC VEHICLE OR PLUG-IN HYBRID ELECTRIC
3 VEHICLE ISSUED ON OR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION
4 SHALL BE SUBJECT TO THE ELECTRIC VEHICLE ROAD USER CHARGE
5 IMPOSED UNDER SUBSECTION (A). THE DEPARTMENT OF TRANSPORTATION
6 SHALL SEND A FORM TO THE OWNER OR REGISTRANT FOR THE PAYMENT OF
7 THE ELECTRIC VEHICLE ROAD USER CHARGE FOR THE INITIAL
8 REGISTRATION CONSISTENT WITH CHAPTER 13.

9 (C) RENEWAL OF VEHICLE REGISTRATION.--AT LEAST 60 DAYS PRIOR
10 TO THE EXPIRATION OF REGISTRATION FOR AN ELECTRIC VEHICLE OR
11 PLUG-IN HYBRID ELECTRIC VEHICLE UNDER SUBSECTION (A), THE
12 DEPARTMENT OF TRANSPORTATION SHALL SEND TO THE OWNER OR
13 REGISTRANT A FORM FOR THE PAYMENT OF THE ELECTRIC VEHICLE ROAD
14 USER CHARGE FOR THE RENEWAL OF REGISTRATION CONSISTENT WITH
15 CHAPTER 13.

16 (C.1) COMPUTATION OF ELECTRIC VEHICLE ROAD USER CHARGE.--

17 (1) THE ELECTRIC VEHICLE ROAD USER CHARGE FOR AN
18 ELECTRIC VEHICLE SHALL BE AS FOLLOWS:

19 (I) \$125 UPON INITIAL REGISTRATION IN 2025 OR UPON
20 RENEWAL OF REGISTRATION SUBMITTED TO THE DEPARTMENT OF
21 TRANSPORTATION FOR A REGISTRATION THAT EXPIRES IN 2025.

22 (II) \$150 UPON INITIAL REGISTRATION IN 2026 OR UPON
23 RENEWAL OF REGISTRATION SUBMITTED TO THE DEPARTMENT OF
24 TRANSPORTATION FOR A REGISTRATION THAT EXPIRES IN 2026.

25 (III) \$175 UPON INITIAL REGISTRATION IN 2027 OR UPON
26 RENEWAL OF REGISTRATION SUBMITTED TO THE DEPARTMENT OF
27 TRANSPORTATION FOR A REGISTRATION THAT EXPIRES IN 2027.

28 (IV) \$200 UPON INITIAL REGISTRATION IN 2028 OR UPON
29 RENEWAL OF REGISTRATION SUBMITTED TO THE DEPARTMENT OF
30 TRANSPORTATION FOR A REGISTRATION THAT EXPIRES IN 2028.

1 (V) \$225 UPON INITIAL REGISTRATION IN 2029 OR UPON
2 RENEWAL OF REGISTRATION SUBMITTED TO THE DEPARTMENT OF
3 TRANSPORTATION FOR A REGISTRATION THAT EXPIRES IN 2029.

4 (VI) THE AMOUNT UNDER PARAGRAPH (2) UPON INITIAL
5 REGISTRATION IN 2030 AND EACH YEAR THEREAFTER OR UPON
6 RENEWAL OF REGISTRATION SUBMITTED TO THE DEPARTMENT OF
7 TRANSPORTATION FOR A REGISTRATION THAT EXPIRES IN 2030
8 AND EACH YEAR THEREAFTER.

9 (2) ON JANUARY 1, 2030, AND EACH JANUARY 1 THEREAFTER,
10 THE ELECTRIC VEHICLE ROAD USER CHARGE SHALL BE FIXED ANNUALLY
11 BY THE DEPARTMENT OF TRANSPORTATION BASED UPON THE ELECTRIC
12 VEHICLE ROAD USER CHARGE IN THE PRIOR YEAR AS ADJUSTED TO
13 REFLECT THE CHANGE IN THE CONSUMER PRICE INDEX FOR ALL URBAN
14 CONSUMERS (CPI-U) FOR THE UNITED STATES FOR ALL ITEMS AS
15 PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF
16 LABOR STATISTICS, FOR THE PREVIOUS 12-MONTH PERIOD. THE
17 ELECTRIC VEHICLE ROAD USER CHARGE AS ADJUSTED SHALL BE
18 ROUNDED TO THE NEAREST MULTIPLE OF \$1. THE DEPARTMENT OF
19 TRANSPORTATION SHALL TRANSMIT NOTICE OF THE NEW ELECTRIC
20 VEHICLE ROAD USER CHARGE TO THE LEGISLATIVE REFERENCE BUREAU
21 BY THE PRECEDING DECEMBER 1 FOR PUBLICATION IN THE NEXT
22 AVAILABLE ISSUE OF THE PENNSYLVANIA BULLETIN NO LATER THAN
23 THE PRECEDING DECEMBER 15.

24 (3) THE ELECTRIC VEHICLE ROAD USER CHARGE FOR A PLUG-IN
25 HYBRID ELECTRIC VEHICLE SHALL BE 25% OF THE ELECTRIC VEHICLE
26 ROAD USER CHARGE FOR AN ELECTRIC VEHICLE UNDER PARAGRAPH (1)
27 AND SHALL BE ROUNDED TO THE NEAREST MULTIPLE OF \$1 AS
28 DETERMINED BY THE DEPARTMENT OF TRANSPORTATION.

29 (4) IF AN OWNER OR REGISTRANT OF AN ELECTRIC VEHICLE OR
30 PLUG-IN HYBRID ELECTRIC VEHICLE ELECTS TO PAY AN ANNUAL

1 REGISTRATION FEE FOR A TWO-YEAR REGISTRATION PERIOD AS
2 PROVIDED UNDER SECTION 1307(G) (RELATING TO PERIOD OF
3 REGISTRATION), THE ELECTRIC VEHICLE ROAD USER CHARGE SHALL BE
4 TWO TIMES THE AMOUNT REQUIRED BY THIS SECTION AS DETERMINED
5 BY THE DEPARTMENT OF TRANSPORTATION.

6 (D) ENROLLMENT.--

7 (1) THE DEPARTMENT OF TRANSPORTATION SHALL PERMIT OWNERS
8 OR REGISTRANTS OF ELECTRIC VEHICLES AND PLUG-IN HYBRID
9 ELECTRIC VEHICLES UNDER SUBSECTION (A) TO PAY THE ELECTRIC
10 VEHICLE ROAD USER CHARGE AS FOLLOWS:

11 (I) ENROLL IN A FLAT CHARGE OF THE AMOUNT REQUIRED
12 UNDER SUBSECTION (C.1) PER YEAR TO THE DEPARTMENT OF
13 TRANSPORTATION PROVIDED BY CREDIT OR DEBIT CARD, CHECK OR
14 MONEY ORDER OR ANY OTHER PAYMENT METHOD APPROVED BY THE
15 DEPARTMENT OF TRANSPORTATION. OWNERS OR REGISTRANTS WHO
16 ELECT THIS OPTION MAY ENROLL IN A PAPER FORM PRESCRIBED
17 AND FURNISHED BY THE DEPARTMENT OF TRANSPORTATION INSTEAD
18 OF ELECTRONICALLY.

19 (II) ENROLL IN A PAYMENT PLAN OF THE AMOUNT REQUIRED
20 UNDER SUBSECTION (C.1) DIVIDED INTO MONTHLY PAYMENTS
21 DURING THE REGISTRATION PERIOD TO THE DEPARTMENT OF
22 TRANSPORTATION BY CREDIT OR DEBIT CARD, CHECK OR MONEY
23 ORDER OR ANY OTHER PAYMENT METHOD APPROVED BY THE
24 DEPARTMENT OF TRANSPORTATION. OWNERS OR REGISTRANTS WHO
25 ELECT THIS OPTION MAY ENROLL IN A PAPER FORM PRESCRIBED
26 AND FURNISHED BY THE DEPARTMENT OF TRANSPORTATION INSTEAD
27 OF ELECTRONICALLY.

28 (2) THE CHARGES UNDER PARAGRAPH (1) SHALL NOT INCLUDE A
29 FEDERAL TAX, FEE, LEVY OR CHARGE, AND AN OWNER OR REGISTRANT
30 OF AN ELECTRIC VEHICLE OR PLUG-IN HYBRID ELECTRIC VEHICLE

1 SHALL BE RESPONSIBLE FOR PAYING ANY TAX, FEE, LEVY OR CHARGE
2 IMPOSED BY THE CONGRESS OF THE UNITED STATES AFTER THE
3 EFFECTIVE DATE OF THIS PARAGRAPH.

4 (E) CONCURRENT REGISTRATION.--THE REGISTRATION OF ELECTRIC
5 VEHICLES AND PLUG-IN HYBRID ELECTRIC VEHICLES SHALL NOT BE VALID
6 UNLESS THE OWNER OR REGISTRANT ENROLLS IN A PAYMENT OPTION UNDER
7 SUBSECTION (D).

8 (F) PENALTY.--FAILURE TO PAY THE ELECTRIC VEHICLE ROAD USER
9 CHARGE WITHIN 30 DAYS OF THE ENROLLMENT DATE ESTABLISHED BY THE
10 DEPARTMENT OF TRANSPORTATION SHALL RESULT IN A PROHIBITION ON
11 RENEWAL OF THE ELECTRIC VEHICLE'S OR PLUG-IN HYBRID ELECTRIC
12 VEHICLE'S REGISTRATION. THE DEPARTMENT OF TRANSPORTATION MAY NOT
13 PROHIBIT THE RENEWAL OF A VEHICLE REGISTRATION UNDER SUBSECTION
14 (D) (1) (II) IF THE ELECTRIC VEHICLE'S OR PLUG-IN HYBRID ELECTRIC
15 VEHICLE'S OWNER OR REGISTRANT IS ENROLLED IN A PAYMENT PLAN AND
16 MAKES TIMELY PAYMENTS ACCORDING TO THE SCHEDULE ESTABLISHED BY
17 THE DEPARTMENT OF TRANSPORTATION.

18 (G) LIABILITY FOR UNPAID TAX AMOUNTS.--THE OWNER OR
19 REGISTRANT OF A VEHICLE SUBJECT TO THE ELECTRIC VEHICLE ROAD
20 USER CHARGE UNDER THIS SECTION SHALL NOT BE LIABLE FOR ANY
21 UNPAID TAX AMOUNT OWED TO THE DEPARTMENT PRIOR TO THE EFFECTIVE
22 DATE OF THIS SECTION FOR THE TAX IMPOSED UNDER SECTION 9004 (D)
23 (RELATING TO IMPOSITION OF TAX, EXEMPTIONS AND DEDUCTIONS).

24 (H) LIENS, PENALTIES AND INTEREST PROHIBITED.--THE
25 DEPARTMENT MAY NOT IMPOSE LIENS, PENALTIES OR INTEREST ON THE
26 OWNER OR REGISTRANT OF A VEHICLE SUBJECT TO THE ELECTRIC VEHICLE
27 ROAD USER CHARGE UNDER THIS SECTION FOR ANY UNPAID TAX AMOUNT
28 OWED TO THE DEPARTMENT PRIOR TO THE EFFECTIVE DATE OF THIS
29 SUBSECTION FOR THE TAX IMPOSED UNDER SECTION 9004 (D).

30 (I) CRIMINAL PENALTIES AND FINES PROHIBITED.--THE OWNER OF A

1 VEHICLE SUBJECT TO THE ELECTRIC VEHICLE ROAD USER CHARGE UNDER
2 THIS SECTION SHALL NOT BE SUBJECT TO ANY CRIMINAL PENALTIES OR
3 FINES UNDER THIS CHAPTER FOR ANY UNPAID TAX AMOUNTS OWED TO THE
4 DEPARTMENT PRIOR TO THE EFFECTIVE DATE OF THIS SECTION FOR THE
5 TAX IMPOSED UNDER SECTION 9004(D).

6 (J) CHARGES FOR HIGHWAY MAINTENANCE AND CONSTRUCTION.--THE
7 ELECTRIC VEHICLE ROAD USER CHARGE COLLECTED BY THE DEPARTMENT OF
8 TRANSPORTATION UNDER THIS SECTION SHALL BE TRANSMITTED TO THE
9 STATE TREASURER FOR DEPOSIT INTO THE MOTOR LICENSE FUND IN
10 ACCORDANCE WITH THE ALLOCATIONS UNDER SECTION 9511 (RELATING TO
11 ALLOCATION OF PROCEEDS). FOR PURPOSES OF ALIGNING THE ELECTRIC
12 VEHICLE ROAD USER CHARGE WITH THE ALLOCATIONS OF PROCEEDS, THE
13 ELECTRIC VEHICLE ROAD USER CHARGE MUST BE ALLOCATED IN
14 ACCORDANCE WITH THE OIL COMPANY FRANCHISE TAX FOR HIGHWAY
15 MAINTENANCE AND CONSTRUCTION UNDER SECTION 9502 (RELATING TO
16 IMPOSITION OF TAX).

17 (K) EXCEPTIONS.--THE FOLLOWING ELECTRIC VEHICLES AND PLUG-IN
18 HYBRID ELECTRIC VEHICLES SHALL NOT BE REQUIRED TO PAY THE
19 ELECTRIC VEHICLE ROAD USER CHARGE UNDER THIS SECTION:

20 (1) A GOLF CART.

21 (2) A NEIGHBORHOOD ELECTRIC VEHICLE.

22 (3) A MOTORCYCLE OR OTHER VEHICLE WITH LESS THAN FOUR
23 WHEELS.

24 (4) A VEHICLE THAT IS NOT REQUIRED TO BE REGISTERED WITH
25 THE DEPARTMENT OF TRANSPORTATION UNDER THIS TITLE.

26 (5) A VEHICLE REGISTERED TO A PERSON EXEMPT UNDER
27 SECTION 9004(E) FROM REPORTING AND PAYING A TAX ON LIQUID
28 FUELS, FUELS OR ALTERNATIVE FUELS.

29 (6) QUALIFIED MOTOR VEHICLES AS DEFINED UNDER SECTION
30 2101.1 (RELATING TO DEFINITIONS).

1 (7) A MOTOR VEHICLE WITH A MODEL YEAR OF 1990 OR OLDER.

2 (L) EXEMPT ENTITIES.--

3 (1) IF A VEHICLE REGISTERED TO AN EXEMPT ENTITY IS USED
4 FOR A NONEXEMPT PURPOSE DURING THE REGISTRATION YEAR, THE
5 EXEMPT ENTITY SHALL PAY AN ADMINISTRATIVE PENALTY OF \$500 TO
6 THE DEPARTMENT. AN EXEMPT ENTITY THAT IMPROPERLY USES A
7 VEHICLE FOR NONEXEMPT PURPOSES IS NOT ELIGIBLE TO CLAIM A
8 REFUND FOR THE VEHICLE UNDER THE PROVISIONS OF SECTION 9017
9 (RELATING TO REFUNDS).

10 (2) AN EXEMPT ENTITY APPLYING FOR A REFUND UNDER
11 SUBSECTION (M) SHALL MAINTAIN RECORDS OF VEHICLE USAGE
12 CERTIFYING THAT AN INDIVIDUAL TRIP MADE BY THE VEHICLE WAS
13 FOR A QUALIFIED EXEMPT USE. INDIVIDUAL TRIP LOGS, ODOMETER
14 READINGS AND DRIVER SIGNATURES SHALL BE AMONG THE RECORDS
15 REQUIRED TO SUBSTANTIATE EXEMPT USE.

16 (3) THE DEPARTMENT MAY INSPECT THE SUBSTANTIATING
17 RECORDS FOR AN EXEMPT ENTITY AT ANY TIME.

18 (4) THE EXEMPT ENTITY SHALL COOPERATE WITH AN AGENT OF
19 THE DEPARTMENT IN AN INSPECTION UNDER PARAGRAPH (3).

20 (5) AN EXEMPT ENTITY THAT REFUSES TO PERMIT THE
21 DEPARTMENT OR AN AGENT APPOINTED BY THE DEPARTMENT IN WRITING
22 TO EXAMINE THE BOOKS, RECORDS, PAPERS OR OTHER EQUIPMENT
23 ASSOCIATED WITH THE OPERATION OF AN ELECTRIC VEHICLE OF PLUG-
24 IN HYBRID ELECTRIC VEHICLE AS PERMITTED UNDER PARAGRAPH (3)
25 COMMITTS A SUMMARY OFFENSE AND SHALL PAY A FINE OF \$500 FOR
26 EACH ELECTRIC VEHICLE AND PLUG-IN HYBRID ELECTRIC VEHICLE
27 OWNED OR OPERATED BY THE EXEMPT ENTITY.

28 (M) REFUNDS.--A PERSON MAY BE ENTITLED TO A REFUND OF THE
29 ELECTRIC VEHICLE ROAD USER CHARGE PAID FOR A VEHICLE THAT WOULD
30 OTHERWISE HAVE BEEN EXEMPT UNDER SECTION 9004. A PERSON ENTITLED

1 TO A REFUND OF THE ELECTRIC VEHICLE ROAD USE FEE SHALL APPLY FOR
2 AN ANNUAL REFUND IN A MANNER SIMILAR TO THE REFUND PROCESS USED
3 FOR LIQUID FUELS, FUELS AND ALTERNATIVE FUELS UNDER SECTION
4 9017.

5 (N) RENTAL VEHICLES.--THE ELECTRIC VEHICLE ROAD USER CHARGE
6 UNDER THIS SECTION SHALL BE CONSIDERED A RENTAL VEHICLE
7 LICENSING AND TITLE FEE IMPOSED BY THE COMMONWEALTH UNDER THIS
8 TITLE FOR THE PURPOSES OF SECTION 1603-A OF THE ACT OF MARCH 4,
9 1971 (P.L.6, NO.2), KNOWN AS THE TAX REFORM CODE OF 1971.

10 (O) REGULATIONS.--THE DEPARTMENT OF TRANSPORTATION, IN
11 CONSULTATION WITH THE DEPARTMENT, MAY PROMULGATE REGULATIONS TO
12 IMPLEMENT THIS SECTION.

13 (P) TEMPORARY REGULATIONS.--IN ORDER TO FACILITATE THE
14 PROMPT IMPLEMENTATION OF THIS SECTION, REGULATIONS PROMULGATED
15 BY THE DEPARTMENT OF TRANSPORTATION IN CONSULTATION WITH THE
16 DEPARTMENT UNDER THIS SECTION DURING THE TWO YEARS FOLLOWING THE
17 EFFECTIVE DATE OF THIS SUBSECTION SHALL BE DEEMED TEMPORARY
18 REGULATIONS, WHICH SHALL EXPIRE NO LATER THAN THREE YEARS
19 FOLLOWING THE EFFECTIVE DATE OF THIS SUBSECTION OR UPON THE
20 PROMPT PROMULGATION OF FINAL REGULATIONS. THE TEMPORARY
21 REGULATIONS MAY NOT BE SUBJECT TO:

22 (1) SECTIONS 201, 202, 203, 204, AND 205 OF THE ACT OF
23 JULY 31, 1968 (P.L.769, NO.240), REFERRED TO AS THE
24 COMMONWEALTH DOCUMENTS LAW.

25 (2) SECTION 204(B) OF THE ACT OF OCTOBER 15, 1980
26 (P.L.950, NO.164), KNOWN AS THE COMMONWEALTH ATTORNEYS ACT.

27 (3) THE ACT OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS
28 THE REGULATORY REVIEW ACT.

29 SECTION 5. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

30 (1) THE ADDITION OF 75 PA.C.S. § 9024(D) (1) (II) SHALL

1 TAKE EFFECT IN 24 MONTHS.

2 (2) THIS SECTION SHALL TAKE EFFECT IMMEDIATELY.

3 (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT JANUARY
4 1, 2025.