

By: Dean

H.B. No. 2028

A BILL TO BE ENTITLED

AN ACT

relating to imposing a motor fuel tax recovery fee for the registration of an electric vehicle.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 502.198(a), Transportation Code, is amended to read as follows:

(a) Except as provided by Sections 502.058, 502.060, 502.1911, 502.192, 502.356, ~~and~~ 502.357, and 502.360 and Subchapter H, this section applies to all fees collected by a county assessor-collector under this chapter.

SECTION 2. Subchapter G, Chapter 502, Transportation Code, is amended by adding Section 502.360 to read as follows:

Sec. 502.360. MOTOR FUEL TAX RECOVERY FEE FOR ELECTRIC VEHICLES. (a) In this section, "electric vehicle" means a motor vehicle that draws propulsion energy only from a rechargeable energy storage system.

(b) In addition to other fees authorized under this chapter, at the time of application for registration or renewal of registration of an electric vehicle, the applicant shall pay a motor fuel tax recovery fee as established by department rule in accordance with this section.

(c) Not later than September 1 of every fifth year, the department by rule shall establish the amount of the motor fuel tax recovery fee in an amount of at least \$300. In determining the

1 amount of the fee, the department shall consider the average annual  
2 amount of taxes imposed under Chapter 162, Tax Code, that an owner  
3 of an electric vehicle would pay if the vehicle operated on gasoline  
4 or diesel fuel.

5 (d) The motor fuel tax recovery fee shall be collected for  
6 an electric vehicle when other fees authorized under this chapter  
7 are collected. The fee revenue collected must be remitted to the  
8 comptroller and allocated in the same manner the comptroller  
9 allocates gasoline tax revenues under Section 162.503, Tax Code,  
10 except as limited by Section 7-a, Article VIII, Texas Constitution.

11 SECTION 3. This Act takes effect September 1, 2023.