

#A.B. ____

#ELECTRIC VEHICLES ACT

IN THE ASSEMBLY

Mr. Superpacman04, for himself, introduced the following legislation.

#A BILL

Be it enacted by the Assembly of the Atlantic Commonwealth,

#SECTION I. SHORT TITLE

(1) This legislation shall be known as the “Electric Vehicles Act.”

#SECTION II. ASSEMBLY FINDINGS

(1) The Assembly of the Atlantic Commonwealth does find that:

- > (a) Electric vehicles do not pay the traditional gas tax;
- > (b) Electric vehicles weigh more than traditional combustion engine vehicles; and
- > (c) Electric vehicles do significantly more damage to roads while not paying the traditional gas tax.

#SECTION III. DEFINITIONS

(1) “Electric Vehicle” is defined as any road based vehicle which primarily draws propulsion energy from a battery with at least twenty kilowatt hours of capacity, which can be recharged from an external source of electricity.

(2) “Hybrid Vehicle” is defined as any road based vehicle which draws propulsion energy from a traditional combustion engine and a battery with at least five kilowatt hours of capacity, which can be recharged from an external source of electricity.

(3) “Legacy Chargers” is defined as any charging station in operation prior to January 1, 2023, that have never had a metering system in place to capable of measuring electricity transferred

from the charging station to the vehicle or are incapable of measuring the time elapsed while actively charging a vehicle and placing a fee on the charging session.

(4) “Public charging station” is defined as a location at which a charging station owner or operator conducts for-profit business using a metered system for the delivery of electric power to an electric vehicle and charges the customer either for the electricity transferred to the power system of the vehicle or for the duration of time during which electricity is transferred to the power system of the vehicle.

#SECTION IV. TAXATION OF ELECTRIC VEHICLE CHARGING STATIONS

(1) A tax of seven cents (\$0.07) for every kilowatt hour, or its equivalent, on the electric charge used to charge or recharge the batteries of an electric or hybrid vehicle. The tax shall be levied beginning January 1, 2023.

(2) The tax imposed by this Act shall not be applicable to the charger of a private residence which the owner already pays a tax upon the electricity used there.

(3) Owners or operators of legacy chargers shall be exempt from remitting this tax until January 1, 2028.

(4) Public charging stations that have never charged a fee for usage shall be exempt from remitting this tax until January 1, 2028.

(5) The revenue derived from this tax shall be apportioned to the Consolidated Local Street and Highway Improvement Program (CHIPS) as outlined in Section 10-c of State Highway Law.

#SECTION V. METERING SYSTEMS TO BE REQUIRED

(1) Any public charging station which is constructed or begins operation on or after January 1, 2023 shall use a metering system that is capable of imposing the cost for the charging service using a kilowatt per hour or other applicable measurement.

(2) The Atlantic Commonwealth Tax Commission shall have the authority to inspect the premises of any public charging station in order to enforce compliance with this Act.

(3) If a charging station owner or operator fails to comply with this Act and remit the tax, the Atlantic Commonwealth Tax Commission shall have the authority to begin proceedings to terminate the operation of said charging station in the same manner as the Sales Tax.

(4) The Atlantic Commonwealth Tax Commission shall have the authority to require periodic third-party testing, calibration and inspection reports and require that those reports be submitted to the Atlantic Commonwealth Secretary of State.

(5) If a charging station owner or operator fails to comply with these requirements, the Atlantic Commonwealth Tax Commission shall have the authority outlined in Subsection 3. and the authority to impose a fine of five hundred dollars (\$500.00).

(6) All fines collected from the enforcement of this act shall be appropriated to CHIPS as outlined in Section 10-c in State Highway Law.

#SECTION VI. ELECTRIC VEHICLE REGISTRATION AND DECAL

(1) Owners of electric vehicles shall be required to register their vehicle with the Atlantic Commonwealth Tax Commission as an Electric Vehicle.

(2) Electric vehicles shall be required to have a decal from the Atlantic Commonwealth Tax Commission placed on either the windshield or rear window.

(3) The Atlantic Commonwealth Tax Commission shall impose a fee of one hundred dollars (\$100.00) on all first time registrations of Electric Vehicles.

(4) All fines collected from the enforcement of this act shall be appropriated to CHIPS as outlined in Section 10-c in State Highway Law.

#SECTION VII. ENACTMENT

(1) This legislation shall come into effect on January 1, 2023.

(2) This legislation shall take precedence over all previous pieces of legislation that might contradict it.

(3) Should any part of this resolution be struck down due to being unconstitutional, the rest shall remain law.