

**AMENDMENT**

**OFFERED BY MS. DAVIDS OF KANSAS**

Strike section 1129 and insert the following:

1 **SEC. 1 \_\_\_\_ . FAIR SHARE REGISTRATION FEE ON MOTOR VE-**  
2 **HICLES.**

3 (a) IN GENERAL.—The Administrator of the Federal  
4 Highway Administration shall impose for each year a reg-  
5 istration fee on the owner of a covered electric vehicle and  
6 a covered plug-in electric hybrid vehicle registered for op-  
7 eration by a State department of motor vehicles, in an  
8 amount determined in accordance with subsection (b).

9 (b) ANNUAL FAIR FEE CALCULATION.—

10 (1) IN GENERAL.—For each fiscal year, the Ad-  
11 ministrator shall determine the applicable annual  
12 registration fee for covered electric vehicles and cov-  
13 ered plug-in electric hybrid vehicles using the for-  
14 mula of—

15 (A) the most recent annual estimate of av-  
16 erage vehicle miles traveled per light-duty vehi-  
17 cle, as reported by the Federal Highway Ad-  
18 ministration through the Highway Performance  
19 Monitoring System or subsequent replacements  
20 official statistical source; divided by

1 (B) the most recent estimate of the aver-  
2 age on-road fuel economy (miles per gallon) for  
3 the United States light-duty vehicle fleet, as re-  
4 ported in the Environmental Protection Agency  
5 in the Automotive Trends Report; multiplied by

6 (C) the rate of tax specified in section  
7 4081(a)(2)(A)(i) of the Internal Revenue Code  
8 of 1986.

9 (2) APPLICATION TO VEHICLE TYPES.—

10 (A) IN GENERAL.—The fee determined  
11 under paragraph (1) shall apply to covered elec-  
12 tric vehicles.

13 (B) REDUCED FEE.—The Administrator  
14 may establish, by regulation, a proportionally  
15 reduced fee for covered plug-in electric hybrid  
16 vehicles to reflect partial use of taxable motor  
17 fuels. If the Administrator adopts such a vehicle  
18 fee, the Administrator shall utilize the formula  
19 of—

20 (i) the most recent figure for “average  
21 miles traveled per vehicle” for “all light-  
22 duty vehicles” published in the Federal  
23 Highway Administration’s Highway Statis-  
24 tics Series, Table VM–1, Annual Vehicle  
25 Distance Traveled in Miles and Related

1 Data (or any successor publication or  
2 table); divided by

3 (ii) the most recent estimate of the  
4 average on-road fuel economy (miles per  
5 gallon) for the United States light-duty hy-  
6 brid vehicle fleet, as reported in the Auto-  
7 motive Trends Report of published by the  
8 Environmental Protection Agency; multi-  
9 plied by

10 (iii) the rate of tax specified in section  
11 4081(a)(2)(A)(i) of the Internal Revenue  
12 Code of 1986.

13 (3) PUBLICATION.—Not later than October 1 of  
14 each fiscal year, the Administrator shall publish the  
15 fee determined under this subsection, which shall  
16 apply to registrations occurring in the following fis-  
17 cal year.

18 (4) ROUNDING.—The amount determined under  
19 this subsection shall be rounded to the nearest whole  
20 dollar.

21 (c) COLLECTION, REMITTANCE, AND PROGRAM AD-  
22 MINISTRATION.—

23 (1) IN GENERAL.—A State department of  
24 motor vehicles shall incorporate the collection of fees

1 established under subsection (a) into the vehicle reg-  
2 istration and renewal processes.

3 (2) REMITTANCE.—Not later than 30 days  
4 after the last day of each month, a State transpor-  
5 tation department shall remit to the Administrator  
6 the balance of total fee amounts collected under this  
7 section.

8 (d) TECHNICAL ASSISTANCE.—The Administrator  
9 may provide technical assistance and grants to States to  
10 support implementation of this section.

11 (e) WITHHOLDING FOR NONCOMPLIANCE.—The Ad-  
12 ministrator shall withhold funds under section 104(b) of  
13 title 23, United States Code, from any State that fails to  
14 meet the requirements of subsection (c), in a manner con-  
15 sistent with subsection (b) as in effect on the day before  
16 the date of enactment of this Act.

17 (f) APPLICABILITY OF FEES.—The fees imposed  
18 under paragraphs (1) and (2) of subsection (a) shall ter-  
19minate on October 1, 2031.

20 (g) IMPLEMENTATION OF CERTAIN PROCESSES.—

21 (1) IMPLEMENTATION.—The Administrator of  
22 the Federal Highway Administration shall provide  
23 grants to State departments of motor vehicles to im-  
24plement a process to carry out this section.

1           (2) FUNDING.—Out of any money in the Treas-  
2           ury not otherwise appropriated, \$104,000,000 is to  
3           remain available until September 30, 2029, begin-  
4           ning in the first fiscal year following the date of en-  
5           actment of this Act, for grants under paragraph (1).

6           (3) ELIGIBLE AMOUNTS.—Each State transpor-  
7           tation department may receive not more than  
8           \$2,000,000 under this subsection.

9           (h) REGULATIONS.—The Administrator shall issue  
10          such regulations and guidance as are necessary to—

11           (1) carry out this section; and

12           (2) establish a process for the timely and accu-  
13          rate remittance of fees collected under such section  
14          through an electronic method.

15          (i) REPORT.—Not later than 2 years after the date  
16          of enactment of this Act, the Administrator shall submit  
17          to the Committee on Transportation and Infrastructure  
18          of the House of Representatives and the Committee on  
19          Environment and Public Works of the Senate a report on  
20          the status of the implementation of this section.

21          (j) SENSE OF CONGRESS.—It is the sense of Con-  
22          gress that registration fees collected under this section  
23          should be deposited into the Highway Trust Fund and di-  
24          vided between accounts of such Trust Fund in the same

1 manner as excise taxes enacted after 1982 are deposited  
2 into such Trust Fund.

3 (k) DEFINITIONS.—In this section:

4 (1) COVERED ELECTRIC VEHICLE.—The term  
5 ‘covered electric vehicle’ means a covered motor vehi-  
6 cle that meets the definition of ‘electric vehicle’  
7 under section 86.1803–01 of title 40, Code of Fed-  
8 eral Regulations (as in effect on the date of enact-  
9 ment of the BUILD America 250 Act).

10 (2) COVERED MOTOR VEHICLE.—The term  
11 “covered motor vehicle” has the meaning given the  
12 term “motor vehicle” in section 154(a) of title 23,  
13 United States Code, but excludes a motor vehicle  
14 that is a covered farm vehicle or commercial motor  
15 vehicle (as such terms are defined in section 390.5  
16 of title 49, Code of Federal Regulations).

17 (3) COVERED PLUG-IN ELECTRIC HYBRID VEHI-  
18 CLE.—The term “covered plug-in electric hybrid ve-  
19 hicle” means a covered motor vehicle that meets the  
20 definition of “plug-in hybrid electric vehicle” under  
21 section 86.1803–01 of title 40, Code of Federal Reg-  
22 ulations (as in effect on the date of enactment of the  
23 BUILD America 250 Act).

