

HOUSE CS FOR CS FOR SENATE BILL NO. 115(TRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE TRANSPORTATION COMMITTEE

Offered: 3/13/20

Referred: Finance

Sponsor(s): SENATOR BISHOP

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to vehicle registration fees; and relating to the motor fuel tax."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 28.10.421 is amended by adding a new subsection to read:

4 (k) In addition to the other fees imposed under this section, the owner of an
5 electric vehicle shall pay a special biennial registration fee of \$100, and the owner of a
6 plug-in hybrid vehicle shall pay a special biennial registration fee of \$50. Fees
7 collected under this subsection shall be deposited in the special highway fuel tax
8 account described in AS 43.40.010(g). In this subsection,

9 (1) "electric vehicle" means a vehicle that is

10 (A) powered solely by an electric motor drawing current from
11 rechargeable batteries, fuel cells, or other portable sources of electrical current;
12 and

13 (B) manufactured primarily for use on public streets, roads, and
14 highways;

15 (2) "plug-in hybrid vehicle" means a vehicle that is

1 (A) capable of using gasoline, diesel fuel, or alternative fuel,
 2 and is powered in part by electrical energy using a battery storage system
 3 capable of being recharged from an external source of electricity; and

4 (B) manufactured primarily for use on public streets, roads, and
 5 highways.

6 * **Sec. 2.** AS 28.35.155(a) is amended to read:

7 (a) It is unlawful to operate a motor vehicle with studded tires or tires with
 8 chains attached on a paved highway or road from May 1 through September 15,
 9 inclusive, north of 60 North Latitude and from April 15 through September 30,
 10 inclusive, south of 60 North Latitude, except that at any latitude on a paved portion of
 11 the Sterling Highway a person may not operate a motor vehicle with studded tires or
 12 tires with chains attached from May 1 through September 15, inclusive. The
 13 commissioner of public safety shall by emergency order provide for additional lawful
 14 operating periods based on unusual seasonal or weather conditions. An emergency
 15 order adopted under this section is not subject to AS 44.62 (Administrative Procedure
 16 Act). Upon application, a special individual traction permit may be issued by the
 17 Department of Administration allowing the operation of a motor vehicle with studded
 18 tires or chains at any time at the discretion of the vehicle owner. The fee for the
 19 special individual permit is one-third of the biennial registration fee applicable to that
 20 class of vehicle under AS 28.10.421(b), (c), or (h) [AS 28.10.421]. The department
 21 may provide an appropriate sticker or other device identifying the vehicle to which the
 22 permit applies.

23 * **Sec. 3.** AS 43.40.010(a) is amended to read:

24 (a) In addition to the surcharge levied under AS 43.40.005, there is levied a
 25 tax of 16 [EIGHT] cents a gallon on all motor fuel sold or otherwise transferred within
 26 the state, except that

27 (1) the tax on aviation gasoline is four and seven-tenths cents a gallon;

28 (2) the tax on motor fuel used in and on watercraft of all descriptions is

29 10 [FIVE] cents a gallon;

30 (3) the tax on all aviation fuel other than gasoline is three and two-
 31 tenths cents a gallon; and

1 (4) the tax rate on motor fuel that is blended with alcohol is the same
 2 tax rate a gallon as other motor fuel; however, in an area and during the months in
 3 which fuel containing alcohol is required to be sold, transferred, or used in an effort to
 4 attain air quality standards for carbon monoxide as required by federal or state law or
 5 regulation, the tax rate on motor fuel that is blended with alcohol is six cents a gallon
 6 less than the tax on other motor fuel not described in (1) - (3) of this subsection.

7 * **Sec. 4.** AS 43.40.010(b) is amended to read:

8 (b) In addition to the surcharge levied under AS 43.40.005, there is levied a
 9 tax of 16 [EIGHT] cents a gallon on all motor fuel consumed by a user, except that

10 (1) the tax on aviation gasoline consumed is four and seven-tenths
 11 cents a gallon;

12 (2) the tax on motor fuel used in and on watercraft of all descriptions is
 13 10 [FIVE] cents a gallon;

14 (3) the tax on all aviation fuel other than gasoline is three and two-
 15 tenths cents a gallon; and

16 (4) the tax rate on motor fuel that is blended with alcohol is the same
 17 tax rate a gallon as other motor fuel; however, in an area and during the months in
 18 which fuel containing alcohol is required to be sold, transferred, or used in an effort to
 19 attain air quality standards for carbon monoxide as required by federal or state law or
 20 regulation, the tax rate on motor fuel that is blended with alcohol is six cents a gallon
 21 less than the tax on other motor fuel not described in (1) - (3) of this subsection.

22 * **Sec. 5.** AS 43.40.030(a) is amended to read:

23 (a) Except as specified in AS 43.40.010(j), a person who uses motor fuel to
 24 operate

25 (1) an internal combustion engine is entitled to a motor fuel tax refund
 26 of 12 [SIX] cents a gallon if

27 (A) [(1)] the tax on the motor fuel has been paid;

28 (B) [(2)] the motor fuel is not aviation fuel, or motor fuel used
 29 in or on watercraft; and

30 (C) [(3)] the internal combustion engine is not used in or in
 31 conjunction with a motor vehicle licensed to be operated on public ways; or

1 **(2) a watercraft licensed under AS 16.05.490 or 16.05.530 and used**
2 **for commercial fishing is entitled to a motor fuel tax refund of five cents a gallon**
3 **if the tax on the motor fuel has been paid.**

4 * **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to
5 read:

6 TRANSITION: REGULATIONS. The Department of Revenue may adopt regulations
7 necessary to implement the changes made by this Act. The regulations take effect under
8 AS 44.62 (Administrative Procedure Act), but not before the effective date of the law
9 implemented by the regulation.