

AMENDMENT

OFFERED BY MS. DAVIDS OF KANSAS

Strike section 1129 and insert the following:

1 **SEC. 1129. 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 hybrid vehicle registered for operation by a State
7 transportation department, in an amount determined in
8 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 hybrid vehicles using the formula of—

14 (A) the most recent annual estimate of av-
15 erage vehicle miles traveled per light-duty vehi-
16 cle, as reported by the Federal Highway Ad-
17 ministration through the Highway Performance
18 Monitoring System or subsequent replacements
19 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 hybrid vehicles to reflect
16 partial use of taxable motor fuels. If the Ad-
17 ministrator adopts such a hybrid vehicle fee, the
18 Administrator shall utilize the formula of—

19 (i) the most recent figure for “average
20 miles traveled per vehicle” for “all light-
21 duty vehicles” published in the Federal
22 Highway Administration’s Highway Statis-
23 tics Series, Table VM–1, Annual Vehicle
24 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 transportation de-
24 partment shall—

1 (A) incorporate the collection of fees estab-
2 lished under subsection (a) into the vehicle reg-
3 istration and renewal processes; or

4 (B) administer a voluntary mileage-based
5 user fee program under subsection (d), as appli-
6 cable.

7 (2) REMITTANCE.—Not later than 30 days
8 after the last day of each month, a State transpor-
9 tation department shall remit to the Administrator
10 the balance of total fee amounts collected under this
11 section, including amounts collected under sub-
12 section (d), less any amounts retained under sub-
13 section (e).

14 (3) ALTERNATE COMPLIANCE.—The Adminis-
15 trator shall approve a State-administered program
16 under subsection (d) as satisfying the requirements
17 of this section.

18 (d) VOLUNTARY MILEAGE-BASED USER FEE OP-
19 TION.—

20 (1) ELECTION.—In lieu of paying the fee deter-
21 mined under subsection (b), the owner of a covered
22 vehicle may elect to participate in a voluntary mile-
23 age-based user fee program administered by a State
24 or the Administrator.

1 (2) FEE CALCULATION.—A program under this
2 subsection shall assess a fee based on the number of
3 miles traveled by the vehicle during the applicable
4 period, multiplied by a per-mile rate derived from
5 the formula under subsection (b).

6 (3) PROGRAM REQUIREMENTS.—A mileage-
7 based program under this subsection shall—

8 (A) ensure that participants pay no more
9 than the fee otherwise applicable under sub-
10 section (b);

11 (B) include multiple reporting options, in-
12 cluding at least one option that does not require
13 continuous geolocation tracking; and

14 (C) include safeguards to minimize the col-
15 lection and retention of personally identifiable
16 information.

17 (4) STATE ADMINISTRATION.—

18 (A) IN GENERAL.—A State that operates a
19 voluntary mileage-based user fee program for
20 State motor vehicle charges may elect, upon ap-
21 proval by the Administrator, to administer the
22 alternative fee program under this subsection.

23 (B) COORDINATION.—The Administrator
24 shall coordinate with States to integrate such
25 programs into vehicle registration systems.

1 (e) STATE PROGRAM REQUIREMENT.—

2 (1) IN GENERAL.—As a condition of receiving
3 funds apportioned under section 104(b) of title 23,
4 United States Code, each State shall, not later than
5 3 years after the date of enactment of this section,
6 establish and make available a voluntary mileage-
7 based alternative user fee program that meets the
8 requirements of subsection (d).

9 (2) FLEXIBILITY.—A State may satisfy the re-
10 quirement under paragraph (1) by—

11 (A) administering its own program;

12 (B) participating in a multistate or re-
13 gional program; or

14 (C) adopting a program administered by
15 the Administrator.

16 (3) TECHNICAL ASSISTANCE.—The Adminis-
17 trator may provide technical assistance and grants
18 to States to support implementation.

19 (f) WITHHOLDING FOR NONCOMPLIANCE.—The Ad-
20 ministrator shall withhold funds under section 104(b) of
21 title 23, United States Code, from any State that fails to
22 meet the requirements of subsections (c) and (e), in a
23 manner consistent with subsection (b) as in effect on the
24 day before the date of enactment of this Act.

25 (g) IMPLEMENTATION OF CERTAIN PROCESSES.—

1 (1) IMPLEMENTATION.—The Administrator of
2 the Federal Highway Administration shall provide
3 grants to State transportation departments to imple-
4 ment a process to carry out this section.

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

10 (3) ELIGIBLE AMOUNTS.—Each State transpor-
11 tation department may receive not more than
12 \$2,000,000 under this subsection.

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

15 (1) carry out this section; and

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

19 (i) REPORT.—Not later than 2 years after the date
20 of enactment of this Act, the Administrator shall submit
21 to the Committee on Transportation and Infrastructure
22 of the House of Representatives and the Committee on
23 Environment and Public Works of the Senate a report on
24 the status of the implementation of section 180 of title
25 23, United States Code.

1 (j) DEPOSIT OF REGISTRATION FEE ON MOTOR VE-
2 HICLES.—Any amounts accrued pursuant to this section,
3 shall be deposited into the Highway Trust Fund, with the
4 appropriate share deposited into the Mass Transit Ac-
5 count of the Highway Trust Fund.

