

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 2178

(SENATE AUTHORS: HOWE)

DATE
02/27/2023

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Introduction and first reading
Referred to Transportation

OFFICIAL STATUS

1.1 A bill for an act

1.2 relating to motor vehicles; amending the surcharge on all-electric vehicles; imposing

1.3 surcharges on plug-in hybrid electric vehicles, electric motorcycles, and plug-in

1.4 hybrid electric motorcycles; defining types of electric motorcycles; requiring

1.5 surcharge rate adjustment; amending Minnesota Statutes 2022, sections 168.013,

1.6 subdivision 1m, by adding subdivisions; 169.011, by adding subdivisions.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2022, section 168.013, subdivision 1m, is amended to read:

1.9 Subd. 1m. ~~Electric~~ **All-electric vehicle.** (a) In addition to the tax under subdivision 1a,

1.10 a surcharge of \$75 \$150 is imposed for an all-electric vehicle, as defined in section 169.011,

1.11 subdivision 1a. Notwithstanding subdivision 8, revenue from the fee imposed under this

1.12 subdivision must be deposited in the highway user tax distribution fund.

1.13 (b) By July 15 of each fiscal year, the commissioner of management and budget must

1.14 transfer from the general fund to the highway user tax distribution fund an amount equal

1.15 to:

1.16 (1) \$79; times

1.17 (2) the number of surcharges collected under paragraph (a) in the preceding fiscal year.

1.18 (c) If the gasoline excise tax imposed by section 296A.07, subdivision 3, clause (3), is

1.19 increased or decreased, the surcharge under paragraph (a) and the amount under paragraph

1.20 (b), clause (1), must be increased or decreased, respectively, by a corresponding percentage.

1.21 The commissioner must collect the adjusted surcharge amount under this paragraph on

1.22 vehicle registrations occurring on or after the effective date of the gasoline excise tax

1.23 adjustment.

2.1 Sec. 2. Minnesota Statutes 2022, section 168.013, is amended by adding a subdivision to
2.2 read:

2.3 Subd. 1n. **Plug-in hybrid electric vehicle.** (a) In addition to the tax under subdivision
2.4 1a, a surcharge of \$75 is imposed for a plug-in hybrid electric vehicle as defined in section
2.5 169.011, subdivision 54a. Notwithstanding subdivision 8, revenue from the fee imposed
2.6 under this subdivision must be deposited in the highway user tax distribution fund.

2.7 (b) By July 15 of each fiscal year, the commissioner of management and budget must
2.8 transfer from the general fund to the highway user tax distribution fund an amount equal
2.9 to:

2.10 (1) \$39.50; times

2.11 (2) the number of surcharges collected under paragraph (a) in the preceding fiscal year.

2.12 (c) If the gasoline excise tax imposed by section 296A.07, subdivision 3, clause (3), is
2.13 increased or decreased, the surcharge under paragraph (a) and the amount under paragraph
2.14 (b), clause (1), must be increased or decreased, respectively, by a corresponding percentage.
2.15 The commissioner must collect the adjusted surcharge amount under this paragraph on
2.16 vehicle registrations occurring on or after the effective date of the gasoline excise tax
2.17 adjustment.

2.18 Sec. 3. Minnesota Statutes 2022, section 168.013, is amended by adding a subdivision to
2.19 read:

2.20 Subd. 1o. **All-electric motorcycle.** (a) In addition to the tax under subdivision 1b, a
2.21 surcharge of \$30 is imposed for an all-electric motorcycle as defined in section 169.011,
2.22 subdivision 1b. Notwithstanding subdivision 8, revenue from the fee imposed under this
2.23 subdivision must be deposited in the highway user tax distribution fund.

2.24 (b) By July 15 of each fiscal year, the commissioner of management and budget must
2.25 transfer from the general fund to the highway user tax distribution fund an amount equal
2.26 to:

2.27 (1) \$16; times

2.28 (2) the number of surcharges collected under paragraph (a) in the preceding fiscal year.

2.29 (c) If the gasoline excise tax imposed by section 296A.07, subdivision 3, clause (3), is
2.30 increased or decreased, the surcharge under paragraph (a) and the amount under paragraph
2.31 (b), clause (1), must be increased or decreased, respectively, by a corresponding percentage.
2.32 The commissioner must collect the adjusted surcharge amount under this paragraph on

3.1 motorcycle registrations occurring on or after the effective date of the gasoline excise tax
3.2 adjustment.

3.3 Sec. 4. Minnesota Statutes 2022, section 168.013, is amended by adding a subdivision to
3.4 read:

3.5 Subd. 1p. **Plug-in hybrid electric motorcycle.** (a) In addition to the tax under subdivision
3.6 1b, a surcharge of \$15 is imposed for a plug-in hybrid electric motorcycle as defined in
3.7 section 169.011, subdivision 54c. Notwithstanding subdivision 8, revenue from the fee
3.8 imposed under this subdivision must be deposited in the highway user tax distribution fund.

3.9 (b) By July 15 of each fiscal year, the commissioner of management and budget must
3.10 transfer from the general fund to the highway user tax distribution fund an amount equal
3.11 to:

3.12 (1) \$8; times

3.13 (2) the number of surcharges collected under paragraph (a) in the preceding fiscal year.

3.14 (c) If the gasoline excise tax imposed by section 296A.07, subdivision 3, clause (3), is
3.15 increased or decreased, the surcharge under paragraph (a) and the amount under paragraph
3.16 (b), clause (1), must be increased or decreased, respectively, by a corresponding percentage.
3.17 The commissioner must collect the adjusted surcharge amount under this paragraph on
3.18 motorcycle registrations occurring on or after the effective date of the gasoline excise tax
3.19 adjustment.

3.20 Sec. 5. Minnesota Statutes 2022, section 169.011, is amended by adding a subdivision to
3.21 read:

3.22 Subd. 1b. **All-electric motorcycle.** (a) "All-electric motorcycle" means an electric
3.23 motorcycle that is solely able to be powered by an electric motor drawing current from
3.24 rechargeable storage batteries, fuel cells, or other portable sources of electrical current.

3.25 (b) All-electric motorcycle excludes a plug-in hybrid electric motorcycle.

3.26 Sec. 6. Minnesota Statutes 2022, section 169.011, is amended by adding a subdivision to
3.27 read:

3.28 Subd. 54c. **Plug-in hybrid electric motorcycle.** "Plug-in hybrid electric motorcycle"
3.29 means an electric motorcycle that:

3.30 (1) contains an internal combustion engine and also allows power to be delivered to the
3.31 drive wheels by a battery-powered electric motor;

4.1 (2) when connected to the electrical grid via an electrical outlet, is able to recharge its
4.2 battery; and

4.3 (3) has the ability to travel at least 20 miles powered substantially by electricity.

4.4 Sec. 7. **REVISOR INSTRUCTION.**

4.5 The revisor of statutes must renumber the subdivisions in Minnesota Statutes, section
4.6 169.011. The revisor must make necessary cross-reference changes in Minnesota Statutes
4.7 consistent with the renumbering.

4.8 Sec. 8. **EFFECTIVE DATE.**

4.9 This act is effective August 1, 2023.