

Electricity as Vehicle Fuel

Final Report to the Minnesota Legislature

February 12, 2026

Executive Summary

The Electricity as Vehicle Fuel Working Group (“Working Group”) was established by the Minnesota Legislature during the 2025 session.¹ The Working Group was charged with providing a comprehensive analysis of electricity used as vehicle fuel infrastructure opportunities and barriers; developing a roadmap with policy and funding recommendations for sustainable transportation funding mechanisms consistent with Minnesota Constitution, article XIV, including a plan for the studied mechanisms to replace the electric vehicle surcharges under Minnesota Statutes, section 168.013, subdivisions 1m and 1n; and researching and analyzing legislation and policy made in other states to determine equitable and comprehensive fuel assessment methods for electric vehicles. From this review, the Working Group is ultimately tasked with submitting a report by February 13 to the Governor and applicable legislative committees, which includes a summary of the activities of the Working Group and provides findings and recommendations adopted by the Working Group. The Working Group comprised 27 members.

During five meetings from September to December of 2025, the Working Group heard testimony from various experts, stakeholders, and Working Group members. The testifiers and accompanying presentation materials are available in Appendix A. Beginning in November of 2025, members were asked to submit potential recommendations to the group. To supplement submitted recommendations, members were encouraged to submit letters for inclusion in the report, which can be found in Appendix B. The Working Group voted to approve a series of recommendations during its final two meetings.

¹ Minnesota Laws 2025, Chapter 8, Article 2, Section 118

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Membership

Minnesota Laws 2025, Chapter 8, Article 2, Section 118

(a) The working group consists of the following members:

(1) two members of the senate, with one appointed by the senate majority leader and one appointed by the senate minority leader;

(2) two members of the house of representatives, with one appointed by the speaker of the house and one appointed by the Democratic-Farmer-Labor caucus leader in the house of representatives;

(3) the commissioner of administration;

(4) the commissioner of commerce;

(5) the commissioner of management and budget;

(6) the commissioner of public safety;

(7) the commissioner of revenue;

(8) the commissioner of transportation;

(9) two members appointed by the governor;

(10) one member of a federally recognized Tribal government, appointed by the governor;

(11) one member appointed by the League of Minnesota Cities;

(12) one member appointed by the Minnesota Transportation Alliance;

(13) one member appointed by the Minnesota Grocers Association;

(14) two members appointed by the Minnesota Building and Construction Trades Council;

(15) one member appointed by the Associated General Contractors of Minnesota;

(16) one member appointed by the Minnesota Chamber of Commerce;

(17) one member appointed by each public utility that owns a nuclear-powered electric generating plant in this state;

(18) one member representing an electricity provider for residential, commercial, and industrial customers located outside the seven-county metropolitan area, appointed by the governor;

(19) one member appointed by the Minnesota Trucking Association;

(20) one member representing convenience stores or fueling stations, appointed by the governor;

(21) one member appointed by the Minnesota Automobile Dealers Association;

(22) one member appointed by Drive Electric Minnesota;

(23) one member appointed by Fresh Energy;

(24) one member representing electric vehicle manufacturers, appointed by the governor; and

(25) two members appointed by an association with interest in residential electric charging, including one member who lives in multifamily housing, appointed by the governor.

The following individuals served on the working group:

Senator Ann Johnson Stewart, Chair

Appointed by: Senate Majority Leader

Representative Steve Elkins, Vice Chair

Appointed by: Democratic-Farmer-Labor
Caucus Leader in the House

Anjali Bains

Appointed by: Fresh Energy

Steve Barthel

Appointed by: Minnesota Grocers Association

Devin Batkiewicz²

Appointed by: Commissioner of
Administration

Carolyn Berninger

Appointed by: Drive Electric Minnesota

Margaret Donahoe

Appointed by: Minnesota Transportation
Alliance

Amanda Duerr

Appointed by: Minnesota Automobile Dealers
Association

Justin Emmerich

Appointed by: Governor

Bentley Graves

Appointed by: Minnesota Chamber of
Commerce

Gary Hansen

Appointed by: League of MN Cities

John Hausladen

Appointed by: Minnesota Trucking
Association

Joe Hoppe

Appointed by: Governor

Senator Jeff Howe

Appointed by: Senate Minority Leader

Tony Kwiłas

Appointed by: Governor

Nick Lardinois

Appointed by: Commissioner of Management
and Budget

Representative Tom Murphy

Appointed by: Speaker of the House

Emily Murray

Appointed by: Governor

² Devin Batkiewicz was appointed to the working group but accepted a new position outside of the Department of Administration in October of 2025. The Department of Administration did not appoint a replacement appointee.

Jeremy Neeck	John Thorson
Appointed by: Commissioner of Revenue	Appointed by: Minnesota Building and Construction Trades Council
James Pearson	Brett Willhite
Appointed by: Public Utility that owns Nuclear-Powered Plant	Appointed by: Commissioner of Commerce
John Pollard	Pong Xiong
Appointed by: Minnesota Building and Construction Trades Council	Appointed by: Commissioner of Public Safety
Erik Rudeen	Laura Ziegler
Appointed by: Commissioner of Transportation	Appointed by: Associated General Contractors of Minnesota

Overview of Meetings

First Meeting – September 15, 2025

Commissioner Daubenger convened the first meeting of the Electricity as Vehicle Fuel Working Group. The members introduced themselves and their appointing authorities.

- Members elected Senator Johnson Stewart as Chair and Representative Elkins as Vice Chair.
- Austin Turman, LCC Research Analyst, provided an overview of the enabling legislation and Minnesota Open Meeting law.
- Amber Dallman, Sam Brown, and Peter Olson from the Department of Transportation gave a presentation relating to state climate goals, the need for a Working Group, transportation funding, and approaches from other states.

Second Meeting – October 15, 2025

Chair Johnson Stewart called the meeting to order. The Working Group heard testimony from the following individuals:

- Matt Burress, Legislative Analyst, House Research Department, and Tom Watson, Senate Counsel, Research and Fiscal Analysis, presented on the legislative history and the location of relevant provisions of the 2025 Transportation Bill and answered questions from the members.
- Brett Willhite, Weights and Measures Division Director, presented an overview of the Weights and Measures Division, its application to gasoline and electricity sold as transportation fuel.

- Carolyn Kramer Simons, Senior Director of State Funding with American Road & Transportation Builders Association, presented on national trends related to electric vehicle registration fees and electric vehicle charging stations taxes and fees.
- Camila Fonseca Sarmiento, Director of Fiscal Research, Humphrey School of Public Affairs, presented an overview of the Transportation Policy and Economic Competitiveness (TPEC) Program, Minnesota roadway funding, and alternative transportation funding sources.

Third Meeting – October 27, 2025

Chair Johnson Stewart called the meeting to order. The Working Group heard testimony from the following individuals:

- Representative Elkins presented on road user charge and mileage-based user fee options.
- Matthew Bishop, Policy Director for Sales and Excise Taxes at the Iowa Department of Revenue, presented on Iowa's experience with a per-kWh charging fee.
- Anjali Bains from Fresh Energy and Carolyn Berninger from the Great Plains Institute and Drive Electric presented on Minnesota's electric vehicle market, policy landscape, EV adoption, and the potential impacts of new EV taxation.
- Peter Olson, Lead Alternative Funding and Financing Analyst with the Minnesota Department of Transportation, presented on the agency's estimates of the average gas tax paid by Minnesota drivers.
- Greg Loper, Vehicle Services Program Director for Driver and Vehicle Services, presented on EVs and hybrids currently on Minnesota roads and the estimates of EV surcharge to be paid under the modified surcharge structure.

Fourth Meeting – November 20, 2025

Chair Johnson Stewart called the meeting to order. The working group heard testimony from the following individuals:

- Scott Cummings, Assistant Commissioner at the Virginia Department of Motor Vehicles, presented Virginia's Mileage Choice Program to the group.
- Jeremy Neeck, Supervisor, Special Taxes Division at the Minnesota Department of Revenue, presented steps taken in preparing to implement a public charging tax in Minnesota.
- Adam Schwartz of Kwik Trip presented an industry perspective on implementing the public charging tax.

Fifth Meeting – December 15, 2025

Chair Johnson Stewart called the meeting to order. The working group heard testimony from the following individuals:

- Michael P. Masquelier, Chief Commercial Officer of the Advancing Self-sufficiency through Powered Infrastructure for Roadway Electrification (ASPIRE) Center, presented on Utah projects involving bus transit, connected and autonomous vehicles, SuperCharge Program.

- Lyle McMillan, Utah Department of Transportation (UDOT) Strategic Technologies Director, and Leif Elder, UDOT Legislative Affairs Director, presented on the Utah Road Usage Charge (RUC) Program.
- Matt Srnec presented on energy use for vocational and off-road applications and implications for an excise tax on public charging stations.

Sixth Meeting – January 5, 2026

Chair Johnson Stewart called the meeting to order. LCC staff presented an outline of the Working Group report. The Working Group discussed recommendations submitted by members for inclusion in the final report and heard testimony from Xavier Smead.

Seventh Meeting – January 21, 2026

Chair Johnson Stewart called the meeting to order. The Working Group discussed and voted on recommendations to be included in the report. The list of recommendations and roll call votes can be found in the minutes for this meeting.

Eighth Meeting – February 9, 2026

Chair Johnson Stewart called the meeting to order. The Working Group discussed and voted on recommendations to be included in the report. The list of recommendations and roll call votes can be found in the minutes for this meeting. The Working Group adopted the final report and passed the minutes for the February 9 meeting.

Recommendations

Recommendations were proposed by Working Group members following the testimony and Working Group discussion to fulfill the duties of the working group established in subdivision 5 of the authorizing legislation. Roll call voting results are available for each proposed recommendation in the minutes for the January 21st and February 9th meetings.

Recommendations for the Implementation of an Excise Tax at Public Electric Vehicle Charging Stations

- The legislature should establish a standard federal purchase exemption for electricity sold as vehicle fuel for vehicles owned and operated by the federal government.
 - o 18 aye votes, 0 nay votes, 2 abstained
- The legislature should modify the public charging excise tax such that public charging station operators will report and remit the tax on a quarterly basis, rather than on a monthly basis.
 - o 14 aye votes, 0 nay votes, 5 abstained
- The legislature should eliminate the sales tax on electricity at public electric vehicle charging stations.
 - o 13 aye votes, 0 nay votes, 7 abstained
- The legislature should broaden the public electric vehicle excise tax to include level 2 electric vehicle charging stations (those with a charging capacity of 3 kilowatts to 50 kilowatts). The current law will begin the public charging tax at only level 3 charging stations (charging capacity exceeding 50 kilowatts) on July 1, 2027.
 - o 11 aye votes, 3 nay votes, 6 abstained
- The legislature should clarify the definition of public charging station to include any station where a fee is charged that is available to the general public and should consider using a different term than “public” to reduce confusion.
 - o 10 aye votes, 0 nay votes, 10 abstained
- The public charging excise tax rate should be indexed to inflation to increase at the same rate as the excise tax on gasoline.
 - o 9 aye votes, 4 nay votes, 7 abstained

Proposed recommendations not adopted:

- The legislature should eliminate the public electric vehicle charging excise tax.
 - o 5 aye votes, 11 nay votes, 4 abstained

- Minnesota should apply a fuel tax only to public EV charging stations that meet a defined utilization-rate benchmark or delay the electricity as vehicle fuel tax until 2035.
 - o 7 aye votes, 9 no votes, 2 abstained

Member Input:

The Working Group discussed the importance of eliminating the sales tax on public electric vehicle charging when the public electricity as vehicle fuel excise tax takes effect, noting that other motor vehicle fuels currently covered by an excise tax do not face double taxation through both a sales and an excise tax. In addition, Article 14, Section 10 of the Minnesota Constitution is clear that excise taxes imposed on vehicle fuels must be dedicated to the Highway User Tax Distribution Fund.

The recommendation to have public charging station operators report and remit the public charging excise tax on a quarterly basis was brought forward by representatives of businesses that host public charging stations and is intended to ease implementation of the tax for charging station hosts. Working Group members also expressed concerns about publicly available electric vehicle chargers that are free to consumers

Recommendations to expand the application of the electricity as vehicle fuel excise tax, by including chargers with lower charging capacities and by removing the requirement that only for-profit businesses are defined as public charging station operators are meant to level the playing field so that the excise tax does not apply at some retail charging stations and not others.

Members opposing the indexing of the electricity as vehicle fuel excise tax to inflation argued that the 5-cent per kilowatt rate may not be an equitable gas tax equivalent rate at this time, and also argued that an excise tax on electric vehicle charging would represent double taxation on top of an electric vehicle surcharge or mileage-based user fee, which are meant to be a proxy for fuels taxes for electric vehicles. Working Group members expressed particular concern for rural EV drivers and EV drivers that live in multifamily housing. Other Working Group members noted that without an electricity as vehicle fuel excise tax, there would be no ability to collect transportation revenue from out of state EV drivers that utilize Minnesota roads.

Proposals to Tax Electricity as Vehicle Fuel via Different Methods than a Public Charging Tax

Recommendations:

- The state should implement a mileage-based road user charge in which:
 - o EV owners would pay a rate-per-mile tax calculated to be the equivalent tax amount to the gas tax amount for a similar internal combustion vehicle drive the same number of miles,
 - o The road user charge would be a voluntary program allowing drivers to opt in to replace their electric vehicle surcharge, and
 - o The road user charge program would be based on odometer readings and not require tracking of trip or location data.
 - 7 aye votes, 2 nay votes, 11 abstained

Member Input:

The Working Group had substantial discussion of this topic, including presentations from officials in Virginia and Utah, two states that have implemented a version of this proposal. Working Group discussion about the proposal included concerns about the cost to implement the program in proportion to the revenue raised and in comparison to other forms of taxing motor vehicles. Other concerns included that revenue under this policy approach would be statutorily dedicated, rather than constitutionally dedicated under Article XIV of the Minnesota Constitution, and that a road user charge program would not be able to collect revenue from out of state drivers traveling in and through Minnesota.

Some versions of a road user charge program that have been piloted or proposed across the country have involved tracking vehicle locations, introducing additional privacy concerns that are not present in a program that solely relies on vehicle odometer readings.

Recommendations on Minnesota's Electric Vehicle Surcharge

- The legislature should replace the MSRP-based electric vehicle and plug-in hybrid vehicle surcharge with a flat fee.
 - o 14 aye votes, 1 nay vote, 3 abstained

Other Recommendations

- The legislature should establish a similar task force in 5 years to study the changes to the policy landscape and available technologies at that time.
 - o 16 aye votes, 1 nay vote, 3 abstained
- Continue state support for building out a network of electric vehicle charging facilities, providing state funding to continue the NEVI program operated by MnDOT.
 - o 14 aye votes, 1 nay vote, 5 abstained
- Minnesota should provide tax benefits or credits to bring down the initial purchase price of electric vehicles.
 - o 13 aye votes, 1 nay vote, 3 abstained
- The legislature should continue to pursue and eventually implement a system that distributes tax revenue obtained from residential EV charging to the Highway Tax Fund and not the general fund.
 - o 11 aye votes, 0 nay votes, 7 abstained
- The legislature should expand the definition of the auto parts sales tax to include electric vehicle chargers and charging components.
 - o 11 aye votes, 0 nay votes, 7 abstained

- A portion of revenue from the assessment of electric vehicles for use of Minnesota roadways should be dedicated to municipalities for the construction and maintenance of roads and bridges within their jurisdiction.
 - o 6 aye votes, 0 nay votes, 11 abstained

Member Input:

Some Working Group members expressed a preference for proposals to be addressed through the legislative process rather than through working groups or similar structures during the interim between legislative sessions.

Some Working Group members expressed concern and/or opposition to the use of trunk highway funds to support the build out of electric vehicle infrastructure.

Working Group members acknowledged that dedicated revenue deposited in the Highway User Tax Distribution Fund is distributed to county and city governments through the County State-Aid Highway Fund and the Municipal State-Aid Streets Fund, and recommended that revenue from Transportation sources continue to be shared between the state and local governments.

Appendices

Appendix A: Enabling Legislation

Minnesota Session Laws, 2025, 1st Special Session, Chapter 8

Sec. 118. ELECTRICITY AS VEHICLE FUEL WORKING GROUP.

Subdivision 1. Definition. For purposes of this section, "electricity as vehicle fuel" means electrical energy transferred to or stored onboard an electric vehicle primarily to propel the electric vehicle.

Subd. 2. Establishment. The commissioners of transportation, public safety, management and budget, revenue, and commerce must convene an Electricity as Vehicle Fuel Working Group to evaluate, promote, and provide recommendations to facilitate the development and integration of electricity used as vehicle fuel within the state's transportation, energy, commercial, industrial, and residential sectors.

Subd. 3. Membership. (a) The working group consists of the following members:

- (1) two members of the senate, with one appointed by the senate majority leader and one appointed by the senate minority leader;
- (2) two members of the house of representatives, with one appointed by the speaker of the house and one appointed by the Democratic-Farmer-Labor caucus leader in the house of representatives;
- (3) the commissioner of administration;
- (4) the commissioner of commerce;
- (5) the commissioner of management and budget;
- (6) the commissioner of public safety;
- (7) the commissioner of revenue;
- (8) the commissioner of transportation;

- (9) two members appointed by the governor;
- (10) one member of a federally recognized Tribal government, appointed by the governor;
- (11) one member appointed by the League of Minnesota Cities;
- (12) one member appointed by the Minnesota Transportation Alliance;
- (13) one member appointed by the Minnesota Grocers Association;
- (14) two members appointed by the Minnesota Building and Construction Trades Council;
- (15) one member appointed by the Associated General Contractors of Minnesota;
- (16) one member appointed by the Minnesota Chamber of Commerce;
- (17) one member appointed by each public utility that owns a nuclear-powered electric generating plant in this state;
- (18) one member representing an electricity provider for residential, commercial, and industrial customers located outside the seven-county metropolitan area, appointed by the governor;
- (19) one member appointed by the Minnesota Trucking Association;
- (20) one member representing convenience stores or fueling stations, appointed by the governor;
- (21) one member appointed by the Minnesota Automobile Dealers Association;
- (22) one member appointed by Drive Electric Minnesota;
- (23) one member appointed by Fresh Energy;
- (24) one member representing electric vehicle manufacturers, appointed by the governor; and
- (25) two members appointed by an association with interest in residential electric charging, including one member who lives in multifamily housing, appointed by the governor.

(b) At its first meeting, the working group must elect a chair or co-chairs by a majority vote of those members present and may elect a vice chair as necessary. The chair and the vice chair must not be a commissioner or a commissioner's designee.

Subd. 4. Appointments. (a) The appointing authorities under subdivision 3 must make

the appointments by July 31, 2025.

(b) A commissioner under subdivision 3 may appoint a designee who is an employee of the respective agency.

(c) Appointments to the working group are made pursuant to Minnesota Statutes, section 15.0597.

Subd. 5. Duties. At a minimum, the working group must:

(1) provide a comprehensive analysis of electricity used as vehicle fuel infrastructure opportunities and barriers;

(2) develop a roadmap with policy and funding recommendations for sustainable transportation funding mechanisms consistent with the Minnesota Constitution, article XIV, including a plan for the studied mechanisms to replace the electric vehicle surcharges under Minnesota Statutes, section 168.013, subdivisions 1m and 1n; and

(3) research and analyze legislation and policy made in other states to determine equitable and comprehensive fuel assessment methods for electric vehicles.

Subd. 6. Meetings. (a) The commissioner of transportation must convene the first meeting of the working group no later than September 15, 2025.

(b) The working group must establish a schedule for meetings and meet as necessary to accomplish the duties under subdivision 5.

(c) The working group is subject to the Open Meeting Law under Minnesota Statutes, chapter 13D.

Subd. 7. Administration. (a) The Legislative Coordinating Commission must provide administrative support to the working group and must assist in creating the report under subdivision 8.

(b) Upon request of the working group, a commissioner under subdivision 3 must provide information and technical support.

(c) Members of the working group serve without compensation.

Subd. 8. Report required. By February 13, 2026, the working group must submit a report to the governor and the chairs and ranking minority members of the legislative committees with jurisdiction over transportation. At a minimum, the report must:

- (1) summarize the activities of the working group; and
- (2) provide findings and recommendations adopted by the working group.

Subd. 9. Expiration. The working group expires June 30, 2026.

EFFECTIVE DATE. This section is effective the day following final enactment.

Appendix B: Meeting Materials

All meeting materials are available at <https://www.lcc.mn.gov/evfwg/meetings.html>

February 9th, 2026

- [Agenda](#)
 - Recommendation Discussion
 - Review of draft Working Group Report
 - Adoption of Working Group Report
 - Approval of February 9 Meeting Minutes
 - Closing Remarks
- [1-21-2026 Minutes](#)
- [Working Group Draft Report](#)
- [Working Group Member Recommendations \(Categorized\)](#)
- [2-9-2026 Minutes](#)

January 21st, 2026

- [Agenda](#)
 - Recommendation Discussion
 - Discussion of Report Preparation
- [1-5-2026 Minutes](#)
- [House File 1140 Presentation](#)
- [Letter from City of St. Louis Park and City of Edina](#)
- [Electricity as Vehicle Fuel Working Group Member Recommendations](#)

January 5th, 2026

- [Agenda](#)
 - Report Outline
 - Recommendation Discussion
- [12-15-2025 Minutes](#)
- [Report Outline](#)
- [Electricity as Vehicle Fuel Working Group Member Recommendations](#)
- [House File 1140 Presentation](#)

December 15th, 2025

- [Agenda](#)

- Presentation from Michael P. Masquelier, Chief Commercial Officer of the ASPIRE Center
- Presentation from Utah DOT: Lyle McMillan UDOT Strategic Technologies Director and Leif Elder, UDOT Legislative Affairs Director
- Presentation from Matt Srnec, Thermo King
- Initial discussion of submissions for potential working group recommendations
- [11-20-2025 Minutes](#)
- [Thermo King Presentation](#)
- [RUC Presentation](#)
- [ASPIRE Presentation](#)
- [Utah S.B. 0125](#)

November 20th, 2025

- [Agenda](#)
 - Scott Cummings, Assistant Commissioner at the Virginia Department of Motor Vehicles: Virginia's Mileage Choice Program
 - Jeremy Neeck, Supervisor, Special Taxes Division at the Minnesota Department of Revenue- Preparing to implement a public charging tax in Minnesota
 - Adam Schwartz, Kwik Trip- Industry perspective on public charging tax implementation
- [10-27-2025 Minutes](#)
- [VADMV Presentation](#)
- [Minnesota Department of Revenue Presentation](#)
- [Kwik Trip Presentation](#)

October 27th, 2025

- [Agenda](#)
 - Rep. Elkins presenting on Road User Charge/ Mileage Based User Fee options
 - Mathew Bishop, Policy Director for Sales and Excise Taxes at the Iowa Department of Revenue, presenting on Iowa's experience with a per-kwh charging fee
 - Anjali Bains from Fresh Energy and Carolyn Berninger from the Great Plains Institute and Drive Electric presenting on Minnesota's electric vehicle market, policy landscape, EV adoption, and potential impacts of new EV taxation.
 - MnDOT staff: presentation on agency estimate of average gas tax paid by Minnesota drivers
 - MN DPS staff: presentation on EVs and hybrids currently on Minnesota roads and estimates of EV surcharge to be paid under modified surcharge structure
- [10-15-2025 Meeting Minutes](#)
- [DVS Surcharge Data and Projections](#)
- [Alternative Road User Charges for Electric Vehicles \(Rep. Elkins' Presentation\)](#)
- [Iowa Electric Fuel Tax Presentation](#)

- [Minnesota Electric Vehicle Landscape Presentation](#)
- [MnDot Gas Tax Estimate Presentation](#)
- [Fresh Energy Presentation](#)

October 15th, 2025

- [Agenda](#)
 - Non-partisan Staff walk-through of relevant provisions- 2025 Transportation Bill
 - Department of Commerce Weights and Measures Division Presentation- Brett Willhite
 - Transportation Advocacy Investment Center (TIAC) Presentation- Carolyn Kramer Simons
 - University of Minnesota Humphrey School Presentation- Camila Fonseca Sarmiento
- [9-15-2025 Meeting Minutes](#)
- [Electric Vehicle Legislation](#)
- [TIAC Presentation](#)
- [Minnesota Roadway Funding: Revenue Sources & Distribution \(Research Brief\)](#)
- [Minnesota Roadway Funding Presentation](#)
- [Weights and Measures Division Presentation](#)

September 15th, 2025

- [Agenda](#)
 - Election of chair and other officers
 - Nonpartisan staff overview of the legislation establishing the workgroup
 - Overview of open meeting requirements
 - Workgroup discussion on purpose and need for workgroup
 - Department of Transportation Overview
 - Transportation funding - where does it come from; what's the concern; what are future opportunities
 - High-level overview of electric vehicle charging infrastructure needs and state climate goals
 - What's to learn from other states on charging for electricity
 - Workgroup discussion - what questions do members have? What's the role of other agencies?
- [Enabling Legislation](#)
- [Memorandum: Open Meeting Law](#)
- [MnDOT Overview Presentation](#)

Appendix C - Member-submitted letters



February 11, 2026

Dear Chair Senator Johnson Stewart and Working Group Members,

Fresh Energy appreciates the opportunity to provide an updated supplemental letter that summarizes our recommendations while also outlining several findings that transpired during the working group meetings. We also provide broader context on the state of electric vehicles in Minnesota and globally, and information on which demographics are most likely to use public charging, to help understand the impact of the recently passed public charging tax law.

SUMMARY OF FINDINGS

Through the course of this working group, several important findings have been shared that would be helpful to provide for legislators in the final report. These include:

- **Highway funding is lagging for many reasons unrelated to EVs.** The main causes of lagging highway funding to date have been improvements in gasoline and diesel vehicle efficiency, inflation, and aging infrastructure that require higher maintenance and repair costs.¹
 - Long-term solutions to lagging highway funding will require looking at all current revenue sources, expanding to new possible sources, as well as holistically reimagining our transportation system to find cost efficiencies and improve sustainability.
- **The gas tax is not the main source of highway funding.** Currently, the majority of highway funding does not come from the motor vehicle excise tax (“gas tax”). The share of highway funding from gas taxes is about 33%, with vehicle tab fees contributing the plurality 34% and vehicle sales tax contributing an additional 25%.²
- **EVs have not been and are not currently the primary cause of highway funding shortfalls.** Electric vehicles (EVs) comprise roughly 1% of passenger vehicles in Minnesota, as of October 2025.³ As such, they have not been the cause of lagging highway funding, which has been a persistent issue for many years before electric vehicles rose in prominence.
 - In fact, because EVs have been more expensive on average than a comparable gasoline vehicle to-date, they have tended to contribute more to the highway fund

¹ MnDOT's "[Revenue Options to Address the Highway User Tax Distribution Funding Gap over Fiscal Years 2025 to 2034](#)" published November 1, 2024

² MnDOT, [Road Funding Gap Report](#) presentation to MN Senate on pg. 2 (February 5, 2025)

³ <https://atlaspolicy.com/evaluatemn/>

via higher tab and sales tax contributions (which are calculated based on MSRP) than gasoline vehicles, making up for any “missing” gas tax revenue.⁴

- Additionally, EVs on average are driven fewer miles than the average gasoline vehicle.⁵
- Given both these factors, EVs have been contributing more than their ‘fair share’ to the highway fund to date, compared to an equivalently sized gasoline vehicle.⁶
- This means discussions of how to address highway funding shortfalls must be comprehensive, and address both newer, more efficient gasoline vehicles alongside electric vehicles, in addition to other vehicles.
- **Taxes are policy, and tax exemptions are common to spur or support specific economic activities.** For instance, materials and fuels used in industrial and agricultural production are exempt from our state’s sale and use tax, as are fuels – including electricity – used for residential heating.⁷
 - Specific to transportation, Minnesota has been pursuing development of a state Sustainable Aviation Fuel (SAF) market, and has exempted materials, supplies, or equipment used to construct facilities that produces or blends SAF from the state’s sale and use tax.⁸
 - Specific to excise taxes, E85 – which is gasoline blended with 15% of ethanol – has a base motor fuel tax of 17.75 cents per gallon, which is 30% lower than the base rate of 25 cents per gallon paid on gasoline.⁹ State financial support for use of ethanol in transportation fuels is well documented.¹⁰
- **Motor vehicle fuels, including electricity, should not be double or triple taxed.** Electricity that is used as vehicle fuel should have the same tax exemptions as liquid motor fuels, to avoid double or triple taxation.

⁴ See Ref 1, pg 22

⁵ MIT Climate Portal, “[How Much Are Electric Vehicles Driven? Depends on the EV](#)” (Jan 2023). Estimates EVs are driven between 2,500 and 4,200 fewer miles annually on average than gasoline or diesel-powered vehicles.

⁶ Drive Electric Minnesota, “[Position Statement: Unfair Taxes for Electric Vehicles](#),” (May 2021).

⁷ Industrial exemptions: [Minn. Stat. 297A Sec. 68 Subd. 2](#); Agricultural: [Minn. Stat. 297A Sec. 69 Subd. 2](#); Residential heating: [Minn. Stat. 297A Sec. 67 Subd. 15](#)

⁸ [Minn. Stat. 297A Sec. 71 Subd. 54](#)

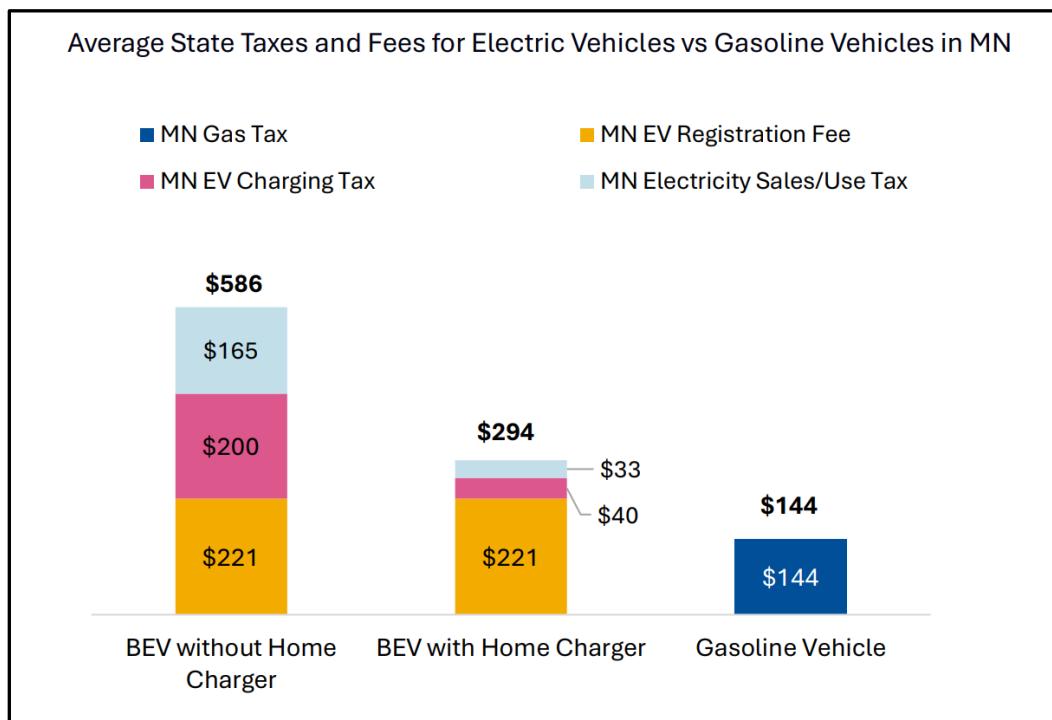
⁹ [Minn. Stat. 296A Sec. 7 Subd. 3](#)

¹⁰ Minnesota Office of the Legislative Auditor, *Evaluation Report: Biofuels Programs and Policies* (April 2009), pg. 7 ([link](#))

- **Sales and Use Tax.** Electricity used as vehicle fuel is already subject to a sales and use tax that goes into the general fund. However, gasoline and diesel vehicles do not pay sales and use tax for their fuel, and instead pay an excise tax (gas tax) that goes into the highway fund.
- **EV Surcharge.** EVs also currently pay an upfront surcharge based on their MSRP price, with a floor of \$150. This surcharge is meant to “approximate” the gas tax that internal combustion engine vehicles pay when fueling (though the current EV surcharge calculation is not currently based on what a comparative gas vehicle would pay). This means, even before a public charging tax comes into effect, EVs are being double taxed compared to internal combustion engine vehicles.
- **Public Charging tax.** For EV drivers who rely on public fast chargers, the additional kWh tax that goes into effect in 2027 will effectively triple tax them, should all the above taxes and fees remain as-is.

The issue of double taxation and possible triple taxation is illustrated below with a graphic from Atlas Public Policy, a data and analytics research firm, which examined Minnesota’s electric vehicle taxes and comparable internal combustion engine taxes. This graphic was included as part of Fresh Energy’s presentation to the working group on October 27, 2025.

The graphic also illustrates another reality of EVs that gasoline vehicles do not have to contend with: vastly different electricity prices for those who are able to charge at home versus those who rely on public charging. Policy implications from this difference are described in a section below.



Source: [Atlas Public Policy, “Revenue or Roadblock? Impacts of Electric Vehicle Charging Taxes: Minnesota Factsheet,” Sept 12, 2025](https://atlaspublicpolicy.org/revenue-or-roadblock-impacts-of-electric-vehicle-charging-taxes-minnesota-factsheet/)

ELECTRIC VEHICLES IN CONTEXT

Minnesota and the U.S. has made progress on EVs, but are falling behind Europe and China

Minnesota enjoyed the second-highest rates of EV sales in the Midwest in 2024, coming in at 7%.¹¹ There are almost 85,000 EVs on the road in Minnesota, making up about 1% of passenger vehicles.¹² Nationally, the U.S. saw EVs make up 7.8 % of sales in 2025, with more than 6 million EVs on the road.¹³

However, sales are expected to decrease due to the abrupt end of the federal electric vehicle rebates, alongside general economic uncertainty that is affecting the entire new auto market.¹⁴ A drastic weakening of tailpipe emissions standards for new cars by the current administration is also expected to dampen national automakers' marketing of and investment in EVs.¹⁵

U.S. trends stand in contrast to the global market, where EVs made up about 20% of new passenger vehicle registrations, with strong sales in Europe and China.¹⁶

China produced 71% of the EVs sold worldwide in 2025¹⁷, while China's BYD dethroned Tesla as the number one EV seller in the world.¹⁸ Canada, a major trading partner to the north, also recently announced it will be allowing BYD to sell a limited number of EVs within its borders.¹⁹

These macro trends are important to consider when setting state-level policy. The U.S. was already trailing major auto-markets abroad, and with the recent anti-EV push by the federal government, the U.S. risks being completely left behind as the auto-market switches to electric vehicles. While state policy alone will not make up the deficit in support from the federal government, state policy that supports the EV market will send a necessary corrective market signal to automakers.

EVs are increasingly becoming more affordable but adding fees without investing in incentives will hamper access without meaningfully addressing roadway funding

In coming years, EVs are projected to become more affordable and accessible to lower income drivers as automakers shift to making more affordable models and as many used vehicles are put up for sale off leases.²⁰ Since the majority of car buyers in the U.S. buy from the used market²¹, this is good news for EVs to reach more Minnesotans.

However, this also means that any policy which increases the cost of purchasing and operating a new EV will also slow down the growth of the used EV market, thereby slowing down progress made

¹¹ MnDOT, [Electric Vehicle Performance Dashboard](#)

¹² <https://atlaspolicy.com/evaluatemn/>

¹³ Alliance for Automotive Innovation, [Q1 2025 U.S. Electric Vehicle Data \(June 2025\)](#)

¹⁴ Cox Automotive, [2026 Forecasts](#) (Jan 6, 2026)

¹⁵ New York Times, “[Ford Will Take \\$19.5 Billion hit as It Rolls Back E.V. Plans](#),” (Dec 15, 2025)

¹⁶ Per [Reuters](#), EV registrations globally reached 20.7 million, while per [S&P Global](#), all new passenger vehicle sales reached 91.7 million

¹⁷ Reuters, “[Global EV sales growth likely to slow after 20% jump in rocky 2025](#)”, (Jan 13, 2026)

¹⁸ New York Times, “[China's BYD Surpasses Tesla as World Leader in Electric Car Sales](#)” (Jan 2, 2026)

¹⁹ USA Today, “[You could soon buy a BYD electric car in Canada. Here's how.](#)” (Jan 20, 2026)

²⁰ See Q4 2025 reporting from [Marketplace](#), [Forbes](#), and [NPR](#)

²¹ Kelley Blue Book, “[Americans are buying more certified pre-owned cars.](#)” (June 2023)

on access and affordability of EVs. As EVs often offer lower operating costs than internal combustion engines due to fuel savings (if an owner has access to home charging) and fewer maintenance needs, EVs can be both a more affordable and cleaner transportation option.²²

Helping EVs retain that operating cost advantage in an era of increasing costs and economic uncertainty will be crucial to both helping more Minnesotans save and supporting our state's climate goals.

Additionally, while current and prospective EV owners will feel the individual impact of rising EV costs acutely, the additional revenue generated by these fees will not result in a meaningful contribution to highway funding in the near term. As the Minnesota Department of Transportation acknowledges in its November 2024 highway funding report, "the potential revenue raising capacity from EV fees is limited in the short run as a significant source of dedicated revenue."²³ Additionally, per analysis by Atlas Public Policy, the public charging tax is estimated to generate less than 0.3% of highway spending in 2030.²⁴

More renters and multifamily residents, as well as rideshare drivers, are more likely to rely on public charging than single-family owners, and be from under-served communities

While it's true that most EV charging occurs at home on average,²⁵ that average hides important information about who is able to charge at home. About 85 to 95% of current EV drivers in the U.S. who live in a detached single-family home have access to home charging, while less than half of those living in apartments do.²⁶ In Minnesota, about 12% of residents live in an apartment building.²⁷

63% of renters live in multifamily housing.²⁸ Renters have less control than owners on using or installing home charging, even if in a single-family home, adding another barrier to home-charging. In Minnesota, 28% of households are renters.²⁹

Renters are also likely to be lower income. Per the Federal Reserve, only 35% of adults with less than \$50,000 of income owned their home, compared with 85% of adults with a family income of \$100,000 or more. This income gap grows when only looking at adults under age 60, with those with incomes over \$100,000 owning homes at a rate more than 3 times those with incomes less than \$50,000.³⁰

²² Natural Resources Defense Council, "[Electric vs. Gas Cars: Is It Cheaper to Drive an EV?](#)" (July 2025).

²³ See Ref 1, pg 22.

²⁴ Atlas Public Policy, "[Revenue or Roadblock? Impacts of Electric Vehicle Charging Taxes: Minnesota Factsheet](#)," pg 1 (Sept 2025)

²⁵ U.S. Joint Office of Energy and Transportation, "[Community Charging: Emerging Multifamily, Curbside, and Multimodal Practices](#)," pg. ii (February 2024)

²⁶ Atlas Public Policy, "[Cost Savings from EV-enabling Building Codes for Multifamily Housing](#)," pg. 3 (May 2025)

²⁷ National Multifamily Housing Council, "[Geography of Apartment Residents](#)." (accessed Jan 2026).

²⁸ U.S. Joint Office of Energy and Transportation, "[Community Charging: Emerging Multifamily, Curbside, and Multimodal Practices](#)," pg. 2 (February 2024)

²⁹ Minnesota Housing Partnership, "[2026 State Housing Profile](#)." (Jan 2026)

³⁰ U.S. Federal Reserve, "[Report on the Economic Well-Being of U.S. Households in 2024](#)" (May 2025)

Black, Hispanic, and Asian Minnesotans have lower rates of home ownership than White Minnesotans, meaning they are overrepresented in the rental population.³¹

Finally, the average cost of public charging is 48 cents per kWh in the U.S.³², which is 3 times higher than the average residential electricity rate in Minnesota of 16 cents per kWh.³³

All these data indicate that multifamily residents and renters who drive EVs are less likely to have access to home charge, and therefore rely on more expensive public charging. They are also more likely to be lower-income than the average EV driver, and there may also be a racial inequity present among EV drivers who rely on public chargers, given the higher rates of non-white Minnesotans renting versus owning a home, as well as a high proportion of non-white rideshare drivers in Minnesota, who may rely on public charging to power their EV between trips.

EVs provide grid and public health benefits, alongside cost savings, and are central to addressing climate emissions in the transportation sector

EVs are a proven technology with benefits for consumers across the electric grid, public health, and the climate.

Electric grid benefits: Because EVs can be charged when demand for electricity on our electric grid is low and supply of electricity is plentiful (e.g. overnight), they are able to increase electricity revenue at utilities within the current system, optimizing the electric grid's usage and putting downward pressure on electricity rates for all ratepayers. This has been quantified through analysis by Synapse Energy Economics, who found that since 2011, EVs in Minnesota have contributed almost \$17 million in net revenue to ratepayers.³⁴

Public health benefits: Transportation is the leading source of air pollution in Minnesota.³⁵ EVs are a key way to reduce this pollution, and as adoption grows they will provide immense societal benefits related to public health and reduced healthcare costs. Analysis completed by the American Lung Association, a leading nonprofit health organization, shows the full breadth of social benefits that a fully electric passenger vehicle fleet could have in the U.S. by 2050, if paired with carbon-free electricity. That includes \$978 billion in public health benefits and almost 90,000 fewer premature deaths, alongside 10.7 million fewer lost workdays and 2.2 million fewer asthma attacks.³⁶

Climate benefits: Transportation is our state's top source of climate pollution³⁷. To reach Minnesota's state climate goal to achieve 100% greenhouse gas emissions (GHGs) reduction by 2050, the rapid adoption of EVs is crucial, and a primary strategy for reducing climate emissions, as a number of state plans outline, including the recently released update to the Minnesota Climate

³¹ Minnesota Housing Partnership, "[2026 State Housing Profile](#)." (Jan 2026)

³² Energy Innovation, [EV Fill Up Savings](#) (webpage). Lists public charging rate as \$0.48 per kWh.

³³ U.S. Energy Information Administration, [Minnesota overview](#) (accessed Jan 2026)

³⁴ Synapse Energy Economics, "[EVs Are Driving Rates Down For All Customers](#)," pg. 14 (June 2024)

³⁵ MPCA, "[The air we breathe: The state of Minnesota's air quality](#)," pg. 21 (January 2025)

³⁶ American Lung Association, "[Drive to Clean Air: Health Benefits of Zero-Emission Cars and Electricity](#)," (June 2023)

³⁷ MnDOT, [Greenhouse Gas Emissions: Transportation Sector and Fuel Use](#) ([webpage](#))

Action Framework.³⁸ That updated framework includes a target of 20% of registered light-duty vehicles being zero-emissions by 2030, with 65% being zero-emissions by 2040, and states that “accelerat[ing] state policy on transportation sector emissions” in the wake of federal disinvestment in EVs will be critical to achieving the state’s climate goals.³⁹

EVs powered on the general Minnesota electric grid emit on average 58% fewer GHGs compared to a gasoline vehicle over their lifetime, while those powered with 100% renewable electricity (very common if charging overnight when wind power is abundant) see an 88% decrease in GHG emissions compared to a gasoline vehicle.⁴⁰

Operating cost savings: Research has shown that fueling and maintenance costs for EVs are lower than for gasoline vehicles, particularly in states with lower-than-national electricity prices such as Minnesota, and for those who drive more miles.⁴¹ This means EVs can provide much needed savings at a time when affordability is paramount.

These savings are even more pronounced for those who drive further. Per Coltura, a nonprofit advocacy and research firm, a Minnesotan who drives 20,000 miles can save an estimated \$1,605 per year with an EV versus a gasoline vehicle, through fuel savings and maintenance savings.⁴²

EVs are a new, cleaner, and more efficient vehicle technology that requires continued and sustained public investment and policy support to level the automotive playing field

While EVs have taken off in recent years, they remain a very small portion of Minnesota’s and the U.S. vehicle fleet, as noted above. As such, actions and investments to support near-term market development are crucial to ensure the EV market continues to grow, including delaying additional fees on EVs or public charging that could hamper that growth until a higher proportion of EVs are in use, and a higher utilization of more public chargers from more EVs is established.

FRESH ENERGY’S RECOMMENDATIONS

Below is a summary of the recommendations we have submitted, ordered in priority:

- **Repeal the public charging tax**, due to its inequitable impacts on renters, multifamily residents, and those that rely heavily on public charging; limited contribution to highway funding in the near term; and burden of double taxing Minnesotan residents who already pay an Electric Vehicle surcharge as a ‘gas tax’ alternative.
 - **Note:** While some members have claimed public chargers would primarily impact out-of-state drivers, there has been no data provided to back this assumption up, while data shared above illustrates the reliance on public chargers among EV drivers

³⁸ See [Minnesota Climate Action Framework](#) (2026) and MnDOT’s [Minnesota Carbon Reduction Strategy](#) (2023)

³⁹ MN Climate Action Framework (2026) on page 13

⁴⁰ Drive Electric Minnesota, “[Electric Vehicles Are Up to 88 Percent Less Greenhouse Gas-Intensive than Gasoline Vehicles](#)” (Nov 2023)

⁴¹ Natural Resources Defense Council, “[Electric vs. Gas Cars: Is It Cheaper to Drive an EV?](#)” (July 2025).

⁴² From the [Coltura EV Cost Savings Index](#), using 2025Q4 data for average gasoline price per gallon and average residential utility rate per kWh, for 20,000 miles driven.

who live in multifamily buildings and/or who rent. Minnesotans themselves also traverse the state and seek public chargers, alongside rideshare or delivery drivers who have electric vehicles and may rely on public charging to fuel their vehicles between rides.

For these reasons, alongside needing to support the growth of the EV market, repealing of the public charging tax is our strong preference.

- **Transition the EV surcharge to a fee system that takes into account miles driven and/or vehicle weight.** Representative Elkin's proposed legislation on an optional Mileage-Based User Fee is an example of this.
 - **Note:** Virginia includes a Mileage-Based User Fee for efficient gas vehicles as well, expected fees to total to 80% of what the average less efficient gas vehicle pays into the gas tax. Fresh Energy supports this approach, as it still rewards the choice of a more efficient vehicle, while treating efficient gas vehicles and electric vehicles more comparably.
- **Reconsider, delay, or streamline the fees and process related to the public charger's operator and inspection fee.** While Fresh Energy supports the goal of legislation last year to make it easier for consumers to understand the cost to fill up at public charging stations, we are concerned that the layering of new costs from the inspection fee and the public charging tax alongside new processes with the public charging operator's license – at the same time of reduced state and federal funding – will dampen new private EV charging investment in Minnesota, and deter others from installing public chargers at their sites.

For these reasons our preferred recommendation is to delay the associated fees related to the annual inspection until EVs reach 10% of the passenger vehicle fleet, or another threshold.

As a second alternative, we recommend a delay of at least one additional year before implementing the inspection fees on charging station owners, to allow a longer transition period for affected public charging station owners to understand the new process and prepare for the change.

We also recommend the Minnesota Department of Commerce and Department of Revenue Services work together to educate public charging owners and site hosts of these upcoming changes, and consider combining the public charger operator's license and inspection processes in order to streamline it for public charging station owners.

Finally, we recommend waiving the inspection fee for nonprofit and public entities who provide the charging stations for free.

While Fresh Energy withdrew this recommendation during the formal voting process, as relatively little discussion occurred on this topic compared to other recommendations, we are including it here as additional context on potential barriers facing the EV charging market in Minnesota.

OTHER MEMBERS' RECOMMENDATIONS

Vehicle Rebate Incentives and Investing in Public Charging

Other incentive-driven policy tools that support consumer adoption of electric vehicles, such as EV rebates and investing in the necessary EV charging network across the state, are key to continuing the transition to these cleaner vehicles. Fresh Energy supports the recommendations on these points made by the Minnesota Transportation Alliance, Senator Ann Johnson Stewart, and Minnesota Department of Transportation in their submitted recommendations and/or letter.

However, securing funding for these policies will be a challenge in the near term given the anti-EV stance of the federal government and increasing need for states to step in to provide social services in the wake of federal funding cuts.

As such, addressing the cost of owning and operating an electric vehicle through the immediate recommendations outlined above will at least partially offset the loss of incentives.

Switch to a flat EV surcharge

The Minnesota Auto Dealers Association recommended reverting to a flat EV surcharge, from the current MSRP-based version. Fresh Energy supports switching to a flat fee of \$100, which would still be a 25% increase over the previous EV surcharge of \$75, as an interim measure until a mileage-based user fee or similar system could be put in place. We also support breaking up the flat fee into quarterly payments, that better approximates how gasoline drivers pay the gas tax overtime, rather than all at once.

CONCLUSION

As was noted in the working group, the time-scale to implement the recommendations above differ. Fresh Energy recommends lawmakers consider what short term actions can support the continued growth of the EV market as a policy priority for the state, while transitioning in the mid-term to a fairer, mileage-based user fee for EVs and efficient gasoline vehicles. Lawmakers will also need to identify new and innovative ways to fund our transportation infrastructure, that looks beyond the current funding streams (e.g. gas tax, tab fees, and motor vehicle sales tax) to consider additional funding sources and approaches.

Fresh Energy thanks the Chair and Vice Chair for the opportunity to participate in this working group and look forward to working with lawmakers on finding a sustainable and equitable approach to EVs' contribution to our transportation system that also meets our climate goals.

Sincerely,

Anjali Bains

Managing Director of Transportation, Fresh Energy



Chair Ann Johnson Stewart
3211 Minnesota Senate Bldg.
St. Paul, MN 55155

February 10, 2026

Dear Chair Johnson Stewart, Vice Chair Elkins, and Members of the Working Group,

Drive Electric Minnesota appreciates the opportunity to provide a comment summarizing our perspective on electric vehicles (EV) and road funding in Minnesota. Drive Electric Minnesota accelerates the equitable adoption of electric vehicles by providing trusted information, advocating for smart policies, and building a collaborative and inclusive network that drives education, outreach, and market growth. Drive Electric Minnesota believes that EV users should pay their fair share to support Minnesota's roads and bridges, but they should not be required to pay more than drivers of equivalent gas vehicles.

Overtaxing EVs is not a reasonable solution for declining road funding revenues

Minnesota and many other states are experiencing declining road funding revenues, primarily due to rising road maintenance costs and lower gas tax revenues due to increasing gas vehicle fuel efficiency.¹ In an effort to make up for perceived lost gas tax revenue, many states have introduced new taxes and fees on EVs. This often results in EV drivers paying more than their fair share for road funding. According to Atlas Public Policy, EV drivers in 36 states now pay more in taxes and fees than gas-car drivers—and Minnesota has the highest “EV penalty” of any state.²

Following changes to EV taxation during the 2025 legislative session, an average EV driver that charges their vehicle 80 percent at home and 20 percent at public fast-charging stations will pay almost double what a typical gas car driver pays in fuel taxes. A driver without access to home charging that must rely 100 percent on public charging could pay over three times as much. This new tax and fee structure for EVs places a disproportionate burden on EV owners, increases barriers to electrification, and risks disrupting the state's growing EV and EV charging market.

As Minnesota works to meet its transportation electrification and climate goals, it will be critical to implement a fair and sustainable road funding system that does not discourage EV adoption. In its September 15, 2025, [presentation](#) to this working group, the Minnesota Department of Transportation noted that Minnesota is unlikely to meet its EV adoption goals and that more state support is needed to bolster the EV charging network. Overtaxing EV drivers will move the state in the opposite direction of its stated goals, without meaningfully addressing structural funding challenges.

To establish a road funding mechanism for EVs that is effective and fair, Drive Electric Minnesota recommends that the state do the following:

1. Implement an optional mileage-based user fee as an alternative to the registration surcharge and public charging excise tax.

¹ Pooja Agarwal and Nate Graham, *Closing the Road-Funding Gap: 2024 Update*, Atlas Public Policy, August, 2024, <https://atlaspolicy.com/wp-content/uploads/2024/09/Closing-the-Road-Funding-Gap-2024-Update.pdf>

² Atlas Public Policy, “Minnesota Fact Sheet,” September 2025, <https://atlaspolicy.com/wp-content/uploads/2025/09/Minnesota-Fact-Sheet.pdf>

2. Eliminate the public electric vehicle charging excise tax to avoid delaying infrastructure deployment and double-taxing EV drivers that already pay a registration surcharge.
3. Eliminate the state sales tax on electricity at public charging stations.
4. Establish a state EV tax rebate or sales incentive.
5. Provide state support to build out Minnesota's EV charging network.

The impact of Minnesota's new taxes and fees

Under Minnesota's new tax and fee structure, many EV drivers will be required to pay significantly more for road funding than they would if they chose to drive a gas car. As demonstrated in Table 1 below, the annual surcharge alone will lead drivers of new EVs to pay more than they would in gas taxes if they chose a comparable gas car. This is before factoring in additional taxes like the public charging excise tax and existing state sales taxes on electricity, which further widen the disparity.

Table 1. Representative gas taxes and EV surcharges for four vehicle types in Minnesota

Vehicle Type	Sedan	Compact SUV	SUV	Pickup Truck
Representative Gas Vehicle	Toyota Corolla	Nissan Rogue	Honda Pilot	Ford F-150
Average Annual Gas Tax ³	\$127	\$143	\$202	\$211
Representative Electric Vehicle ⁴	Tesla Model 3	Kia Niro EV	Kia EV 9	Ford F-150 Lightning
Annual EV Fee in Year 1	\$221	\$198	\$275	\$325
Average EV fee over 3 years ⁵	\$210	\$188	\$261	\$309
Average EV fee over 7 years ⁶	\$172	\$154	\$214	\$253

As shown above, the new MSRP-based surcharge more than makes up for lost gas tax revenue. Despite this, starting in 2027, EV drivers will be taxed *again* when they plug in through the public charging excise tax. This, combined with the existing state sales tax on electricity, results in triple taxation compared to gas car drivers who are subject only to gas taxes at the pump.

Minnesota's tax and fee structure will be particularly burdensome to EV drivers if the state extends the public charging excise tax to Level 2 charging stations in addition to Level 3 charging stations, as

³ These calculations assume gas car drivers travel 13,957 miles per year, based on information about average annual mileage by state from [Trusted Choice](#).

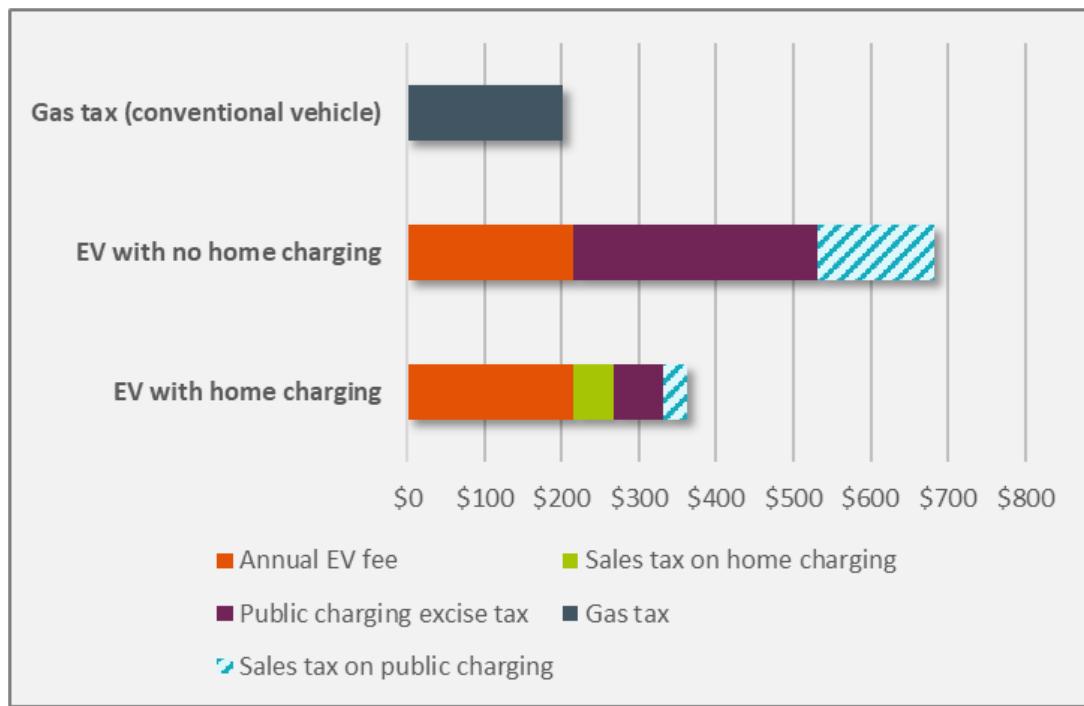
⁴ These calculations are based on new battery-electric vehicles.

⁵ According to [Kelley Blue Book](#), the average lease term is two to three years.

⁶ According to a study by [IHS Automotive](#), the average American driver owns a single vehicle for approximately seven years.

some working group members have recommended. Figure 1 below compares total taxes for three representative individuals: a gas car owner, an EV owner without home charging, and an EV owner with home charging. The gas car owner pays gasoline taxes each time they fill up at the pump. The EV owner without home charging access pays an annual registration surcharge plus the public charging excise tax and sales tax on 100 percent of their charging activity. And the EV owner with home charging access—who charges 80 percent at home and 20 percent at public chargers—pays an annual registration surcharge, existing state sales taxes on electricity for public and home charging, and the public charging excise tax on 20 percent of their charging activity. These scenarios assume all of a driver's public charging activity is subject to the excise tax.

Figure 1. Gas tax vs. EV taxes and fees under Minnesota's registration surcharge and an excise tax on all public charging activity



Note: The sales tax on public charging is shown in a blue diagonal stripe pattern to illustrate the impact of a public charging sales tax exemption. Working group members have expressed support for such an exemption, including Drive Electric Minnesota.

As shown in Figure 1, both EV owners pay significantly more in state taxes and fees each year than someone driving a comparable gas car. The EV driver without access to home charging would be particularly penalized for their driving choice, no matter how much or how little they drive. Even if the state chooses to pass a sales tax exemption on public charging, eliminating that section of the graph, the EV driver without access to home charging will still pay more than double what they would pay if they drove a comparable gas car.

Some working group members have argued that a public charging excise tax is needed to capture revenue from out-of-state drivers. However, Minnesota residents also utilize public charging infrastructure, particularly if they drive more miles or lack access to home charging. Implementing both a punitive registration surcharge and a public charging excise tax results in overtaxing Minnesota residents that choose to drive an EV.

Recommendation: Implement an optional mileage-based user fee as an alternative to the registration surcharge and public charging excise tax

All drivers should contribute fairly to Minnesota's transportation system, but EV drivers should not be required to pay *more* than drivers of comparable gas vehicles. Under the current registration surcharge and public charging excise tax, many EV owners will pay significantly more than gas car drivers, as shown in Figure 1 above. In addition, the MSRP-based surcharge does not reflect road usage.

Drive Electric Minnesota supports exploring ways to collect road funding revenue from EV drivers that are fair, reflect actual road usage, and reward vehicle efficiency. Under a mileage-based user fee like the proposal put forward by Representative Elkins, EV drivers would pay the same amount per mile as drivers of comparable gas vehicles. This is a practical option to more fairly collect revenue from all drivers based on their road usage and vehicle type. For drivers who do not wish to participate in a mileage-based program, the state should maintain an option to pay a flat registration surcharge.

Recommendation: Eliminate the public charging excise tax

Most EV drivers primarily charge their vehicles at home, making public charging excise taxes ineffective at capturing usage and replacing lost gas tax revenue. Public charging excise taxes also risk disrupting the growth of Minnesota's EV charging infrastructure, as public fast-charging stations already face challenging economics due to high infrastructure and operating costs and often low utilization rates in early years. For operators of underutilized charging stations, including municipalities and automobile dealers, the public charging excise tax introduces a new administrative burden. Minnesota should pursue ways to support the state's EV charging industry, rather than introducing new barriers.

In addition, public charging excise taxes do not impact all EV drivers equally. While most drivers primarily charge their vehicles at home, not all drivers have access to home charging. A public charging excise tax disproportionately impacts those without a home charger, including many renters and residents of apartment complexes. This will be particularly stark if the public charging excise tax is extended to Level 2 charging, as some working group members have suggested. This would result in some EV drivers paying the public charging excise tax on all their charging activity, in addition to a punitive annual surcharge. As shown in Figure 1 above, this would be highly burdensome to EV drivers without access to home charging.

Rather than attempting to capture revenue through a public charging excise tax, a mileage-based user fee would allow the state to more evenly and accurately charge EV drivers for their road usage. It would do so without penalizing those without home charging access and without needing to find ways to separately meter and track residential charging activity to implement a home charging excise tax.

Drive Electric Minnesota's preferred option is to fully eliminate the public charging excise tax in lieu of other, more effective revenue-generating mechanisms. However, we would also support reducing the public charging tax to 2 cents per kilowatt hour or delaying its implementation until a future date or a set charger utilization rate.

Recommendation: Replace the MSRP-based registration surcharge with a reasonable flat fee

If the state does not eliminate the registration surcharge and public charging tax in lieu of a mileage-based user fee, it should replace the existing MSRP-based surcharge with a more reasonable flat fee. Under the current MSRP-based system, many EV drivers will pay above \$200 annually to register their vehicles,

regardless of how much or how little they drive. Meanwhile, as shown in Table 1 above, drivers of new fuel-efficient gas vehicles like the Toyota Corolla or Nissan Rogue can expect to pay between \$125-\$150 annually in gas taxes. And with gas vehicle fuel efficiency increasing each year, gas drivers will continue to benefit from buying less gas, lowering what they pay in gas taxes. Drive Electric Minnesota would support a lower annual registration surcharge for EVs, such as a \$125 annual surcharge as recommended by Representative Elkins during the February 9 working group meeting.

Recommendation: Eliminate the sales tax on electricity at public charging stations

If the state continues to tax public charging activity through an excise tax, it should pass a state sales tax exemption on electricity at public charging stations. Electric vehicle drivers already pay sales tax on the electricity they use to fuel their vehicles, and an exemption would prevent double taxation on electricity as a vehicle fuel.

Recommendation: Establish a state EV tax rebate based on the expired federal credit

The federal administration has rolled back support for electric transportation, including by eliminating the popular federal tax credits for new and used EVs and by working to roll back vehicle emissions standards. These policy changes have led to reduced optimism about the country's EV market. For example, Bloomberg New Energy Finance adjusted its national EV adoption outlook, from expecting 36 million EVs on the roads in 2030 down to 22 million.⁷

Drive Electric Minnesota supports financial incentives to increase EV sales in the state, including point-of-sale EV rebates. One barrier preventing EV adoption today is the higher upfront cost of EVs,⁸ despite much lower lifetime fuel and maintenance costs. Rebate programs and other financial incentives make EVs more accessible to all Minnesotans. Financial incentives also put Minnesota on the map for automakers, bringing more inventory into our state.

Recommendation: Provide state support to build out Minnesota's EV charging network

The *Minnesota Electric Vehicle Infrastructure Needs Assessment* estimates that Minnesota would need 48,000 public Level 2 charging ports and 4,000 public DC fast charging ports by 2030 to meet projections for EV adoption.⁹ As of October 2025, there are just 1,981 Level 2 ports and 857 fast charging ports available statewide.¹⁰ More investment is needed to bolster the state's charging infrastructure network, reduce "range anxiety," increase access to electricity as a transportation fuel, and accelerate transportation electrification throughout Minnesota.

Conclusion

Minnesota's current approach to EV taxes and fees risks slowing EV adoption and increasing barriers to electrification without meaningfully addressing the state's road funding shortfall. The state should pursue more equitable solutions, such as implementing a mileage-based user fee, eliminating the public charging

⁷ Bloomberg New Energy Finance, "Electric Vehicle Outlook 2025," 2025, <https://about.bnef.com/insights/clean-transport/electric-vehicle-outlook/#key-numbers>.

⁸ U.S. Energy Information Administration, "Incentives and Lower Costs Drive Electric Vehicle Adoption in our Annual Energy Outlook," May 15, 2023, <https://www.eia.gov/todayinenergy/detail.php?id=56480>.

⁹ Minnesota Department of Transportation, *Electric Vehicle Infrastructure Needs Assessment 2025*, July 2025, <https://mdl.mndot.gov/items/m17837>.

¹⁰ Himangshu Kumar, "EvaluateMN," *Atlas Public Policy*, <https://atlaspolicy.com/evaluatemn/>.

excise tax, and supporting state investments in EV incentives and infrastructure. This will allow the state to ensure that all drivers pay their fair share to use Minnesota's roads while continuing to work toward its goals for a cleaner, more efficient transportation system.

Thank you,

Carolyn Berninger
Public Policy Manager
Drive Electric Minnesota



February 4, 2026

Electricity as Vehicle Fuel Working Group
Legislative Coordinating Commission
Centennial Building
658 Cedar Street
St. Paul, MN 55155

Dear Chair Johnson Stewart and Working Group members:

The Minnesota Automobile Dealers Association (MADA) appreciated the opportunity to participate in the Electricity as Vehicle Fuel Working Group. As a stakeholder involved both with the retail sales of electric vehicles and electricity as a vehicle fuel, we feel we have a unique perspective to bring to this important conversation.

Historically, MADA has not weighed in on the electric vehicle surcharge. We believe that all road users should contribute their fair share to the upkeep of the state's roads and bridges. We recognize that the previous \$75 EV surcharge was likely not commensurate with what a similar gasoline-powered vehicle was contributing to the HUTDF. We felt increasing the surcharge to \$200, as was included in both the 2025 regular session House and Senate transportation budget bills, was a reasonable proposal and did not object.

However, we were extremely concerned that the proposal agreed upon by the Transportation Working Group tied the EV surcharge to a vehicle's MSRP. Even for the most economical, base-level electric vehicle, an EV owner will pay more than \$200 for several years (see chart below). It's worth noting that most consumers do not purchase the base model, further increasing the annual surcharge liability.

Model	MSRP	Year 1 (100%)	Year 2 (95%)	Year 3 (90%)
Tesla Model Y (base)	\$44,990	\$224.95	\$213.70	\$202.45
Tesla Model Y Long Range AWD	\$48,990	\$244.95	\$232.70	\$220.45
Volkswagen ID 4 (base)	\$45,095	\$225.48	\$214.20	\$202.93
KIA EV 6 (base)	\$42,900	\$214.50	\$203.78	\$193.05
Hyundai IONIQ 6 (base)	\$37,850	\$189.25	\$179.79	\$170.33

Our objection to this formula is two-fold: first, a vehicle's price has nothing to do with its road usage, and second, Minnesota already has amongst the highest vehicle registration rates in the country. These registration fees and surcharges simply make vehicle ownership less affordable for the average consumer.

MADA was even more surprised by the new five-cent per kWh tax adopted by the Transportation Working Group. Many automobile dealerships are required to provide Level 3 charging stations as part of their franchise agreement with manufacturers. These charging stations represent a significant capital investment made by business owners to be able to sell electric vehicles. Given the extremely low volume of electricity dispensed at these dealership charging stations, we do not believe the monetary benefit to the State matches the financial and administrative burdens placed upon dealers to collect and remit these taxes.

With 80 percent of electric vehicle charging occurring at home, confusion over what equipment is included in the definition of a "public charging station," and lack of EV charging infrastructure throughout the state, this tax feels both rushed and premature. While we appreciate that the Working Group is recommending clarification and necessary fixes, we still do not feel this tax is ready for prime time.

Finally, MADA feels that the State of Minnesota is sending mixed messages with its policy choices related to electric vehicles. It seems like only yesterday the MPCA undertook rulemaking to adopt the California Air Resources Board's emissions standards in Minnesota, amounting to a de facto EV mandate. Now, despite having numerous climate goals reliant to the electrification of the transportation sector, the State is moving in the opposite direction and taxing electric vehicle usage in a manner that disincentives EV adoption.

Again, we appreciate the opportunity to weigh in during the Electricity as Vehicle Fuel Working Group and through this correspondence. At the end of the day, we support a taxation structure that allows consumers to afford the vehicle they choose to drive.

Sincerely,



Amanda Duerr
Director of Government Affairs
Minnesota Automobile Dealers Association



February 2nd, 2026

Senator Ann Johnson Stewart
Chair, Electricity as Fuel Working Group
Minnesota Senate Building, Room 3211
St. Paul, MN 55155

RE: Fuel Tax Recommendations

Chair Johnson Stewart,

CSG appreciates your leadership and the opportunity to participate in the Electricity as a Fuel Working Group (“Working Group”). By way of background, CSG is a provider of electric vehicle charging solutions in Minnesota, with over 100 charging stations supporting over 3,000 kw of capacity.

CSG respectfully opposes the five-cent per kilowatt-hour EV fuel tax at public fast charging stations. As several stakeholders in Minnesota’s electric transportation sector have noted, this inequitable fuel tax will have a stifling effect on a nascent industry still finding its footing. Indeed, analysis by CSG indicated that a five cent-per-kWh EV fuel tax would equate to a tax of nearly 50-cents-per-gallon of gasoline.¹

While the five cents-per-kWh tax unnecessarily picks winners and losers in the marketplace, CSG fully supports a less punitive, more effective approach to channel EV-related tax revenues toward public infrastructure. In fact, as it stands, it is unlikely that the five cents-per-kWh EV fuel tax—especially when combined with other factors such as excessive utility demand charges—will realize any meaningful revenue for the State, due to the small number of public EV charging stations deployed at this time. Additional deployment of EV charging infrastructure is inextricably tied to any significant gains in tax revenue for the State. Thus, a successful EV fuel tax regime must necessarily also still allow the industry to grow.

In that spirit, CSG sought to build consensus around a technology-neutral tax framework during the Working Group sessions, one that would spur growth to generate meaningful tax revenue. This proposed technology-neutral framework included several key provisions:

1. The EV fuel tax on public chargers was revised to two cents-per-kWh. This revision would better achieve technology neutrality, including equity with the taxation of internal combustion engine vehicles. Further, this tax could be tied to inflation, similarly to the gas tax to increase overall parity.

¹ This was calculated under assumption of the U.S. Environmental Protection Agency-given estimation of 33.7 kWh per gallon of gasoline and an energy economy ratio of three miles per kWh for EVs and 30 miles per gallon for ICE vehicles.



2. The proposed framework would introduce a requirement for utilities to propose new rate schedules to the Commission for low-utilization public EV charging stations. This proposed new rate schedule would have eliminated demand charges and created a time-of-use rate schedule option.
3. The proposed framework established a volumetric threshold for the tax. Namely, the revised fuel tax would only be activated once the EV adoption rate reaches 25% of all passenger vehicles in the State.
4. The proposed framework would establish tax-exempt special transportation infrastructure zones to incentivize targeted EV charger infrastructure development in the State. Because EV adoption, before and after the 25% threshold, will be highly concentrated in the Twin Cities area, the existing 5 cents-per-kWh EV fuel tax, when implemented, could adversely affect business prospects—and thus future tax revenue—in coordinators and municipalities outside of the Twin Cities, where little-to-no EV charging infrastructure development has occurred to date. The proposed “special transportation infrastructure zones” would establish tax-exempt areas on a map for charging stations with a utilization rate below 10% annualized of the nameplate capacity of the charger. Once a facility in a “special transportation infrastructure zone” exceeds the utilization rate benchmark, that facility would no longer qualify for tax-exempt status and must pay the EV fuel tax.

CSG was disappointed with the Working Group’s ultimate lack of any policy evolution on this matter. That said, it is hoped that this letter, and other moderated proposals like it, will be once again considered during the legislative session. It is eminently critical that any novel tax structure be realizable and not diminish the investment and development of new charging infrastructure. CSG continues to worry that the current structure will lead to no meaningful revenue and thus remain a lost opportunity for the State.

CSG once again thanks you for your efforts and looks forward to continued participation on this issue.

Respectfully,

Ruby Gordon
Policy Analyst
Carbon Solutions Group



Electricity as a Fuel

Transportation Funding in Minnesota's Constitution

Article XIV of Minnesota's Constitution governs the taxation of motor vehicles, the taxation of motor fuels and apportionment and distribution of revenue from the sales tax on motor vehicles. Voters approved amendments dedicating these funds for transportation and requiring the revenue be deposited into the Highway User Tax Distribution Fund and used solely for a highway purpose with the exception of 40% of the motor vehicle sales tax revenue which must be deposited into a fund dedicated solely to transit assistance.

Section ten of Article XIV states: **The legislature may levy an excise tax on any means or substance used for propelling vehicles on the public highways** of this state or on the business of selling it. The proceeds of the tax shall be paid into the highway user tax distribution fund.

Minnesota statutes set the rate of taxation for fuels:

The gasoline excise tax is imposed at the following rates*:

- (1) E85 is taxed at the rate of 17.75 cents per gallon;
- (2) M85 is taxed at the rate of 14.25 cents per gallon; and
- (3) all other gasoline is taxed at the rate of 25 cents per gallon.

The special fuel excise tax is imposed at the following rates:

- (1) liquefied petroleum gas or propane is taxed at the rate of 18.75 cents per gallon;
- (2) liquefied natural gas is taxed at the rate of 15 cents per gallon;
- (3) compressed natural gas is taxed at the rate of \$1.974 per thousand cubic feet or 25 cents per gasoline equivalent; and
- (4) all other special fuel is taxed at the same rate as the gasoline excise tax

*rates are indexed annually to MN highway construction cost index

In order to compensate for the lack of fuel tax paid by owners of electric vehicles, Minnesota imposed an annual electric vehicle fee of \$75 in 2017. This was amended in 2025 to a new EV fee based on each vehicle's MSRP and age with a minimum annual fee of \$150 in 2026 and \$100 from July 2027 on and a minimum fee of \$75 for plug-in hybrids in 2026 and \$50 from July 2027 on.

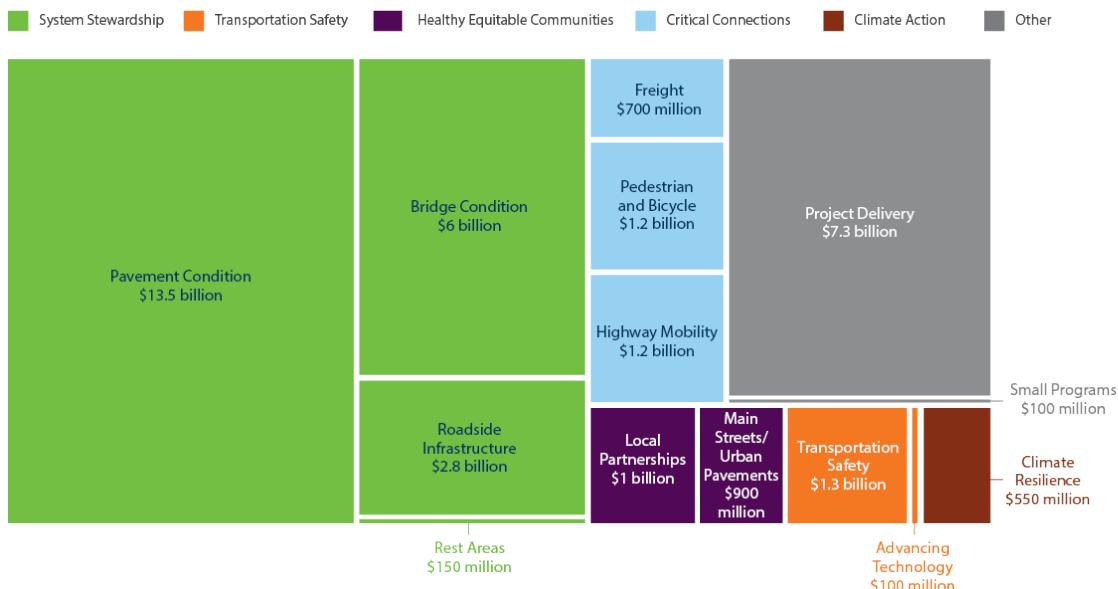
The EV was amended over concern about the growing number of electric and hybrid vehicles and the impact on the Highway User Tax Distribution Fund of a growing number of vehicles paying less than the drivers of vehicles with internal combustion engines (ICE).

Current data shows that as of 2023, there were approximately 50,000 EVs registered in Minnesota, representing about 1% of light-duty vehicles in the state. State projections estimate approximately 5.5 to 5.7 million EV vehicles in the state by 2050.

Highway Funding Needs and Options

MnDOT estimates that funding gap for the trunk highway system for the next 20 years is \$17.8 billion or \$890 million per year. Local governments, who have jurisdiction over most of the lane miles of roadway in the state, have identified a funding gap for local roads and bridges of approximately \$1 billion per year.

The Minnesota State Highway Investment Plan (MnSHIP) projects total revenues over the next 20 years of \$36.7 billion. Of that amount, \$22.45 billion will be spent on existing pavement, bridges and roadside infrastructure. Of the \$36.7 billion, \$1.2 billion or 3.2% of the revenue is planned for highway mobility or capacity expansion projects while an equal amount (\$1.2 billion) is planned to be invested in pedestrian and bicycle infrastructure.



MnDOT has studied 22 options for narrowing the highway funding gap which fall into three main categories:

- Systemwide state options: fuel tax, registration taxes, road user charges, etc.
- Local government options: county wheelage tax, local sales tax for transportation, local bonds, etc.
- Program/project specific options: expand E-ZPass, expand financing options.

The majority of the options studied are currently being implemented in Minnesota. The road user charge would be a new fee.

EV/Hybrid Fees in Other States

Minnesota is not alone in recognizing and addressing the impact of growing number of electric and hybrid vehicles and the impact on revenue need to maintain roadways.

As of September, 2025, 41 states have implemented an electric vehicle registration fee charged annually. These fees range from \$50 to \$1,100 with most fees in the range of \$100 to \$200. These annual flat fees are cost-effective to collect and approximate the amount of money paid by drivers of internal combustion engine vehicles in fuel taxes and fees charged at the pump. Many states charge a lower fee for plug-in hybrid electric vehicles.

In an effort to collect fees from out-of-state drivers using a state's roadways, ten states have enacted an EV charging station tax or fee. These fees are generally charged on a cents per kilowatt hour basis. For the average EV car that requires 60 kilowatt hours for a full charge, Minnesota's 5-cent per kilowatt hour charging fee would cost \$3.00 for a charge. The state tax on full tank of gas at 15 gallons would be \$4.77.

For Minnesota, with the language of section 10, article XIV of our Constitution, revenue collected from a tax on electricity is constitutionally-dedicated and must be paid into the highway user tax distribution fund just like the revenue from fuel taxes.

Barriers and Incentives for EV Buyers

Minnesota has established state climate goals including reducing greenhouse gas emissions in the transportation sector. The turnover of the vehicle fleet to vehicles that run on less fossil fuel is an important part of the strategy to achieve the state's goals.

Studies of consumer attitudes and purchasing choices show that there are barriers and incentives that influence vehicle purchasing decisions.

The main concerns that people cite as reasons for not purchasing EVs include:

- High initial purchase price
- Lack of charging infrastructure
- Range limitations
- Time involved for battery charging

The biggest motivators for purchasing EVs include:

- Purchase price subsidies (tax credits/benefits)
- Reduced total cost to operate and maintain EVs versus ICE vehicles
- Environmental benefits

With the expiration of the federal EV tax credit of \$7,500, projections are that EV sales will be lower. In September, EVs accounted for 12.9% of new-vehicle retail sales, the highest ever, and well above the 8.5% recorded a year earlier, according to a report by [J.D. Power](#).

While the price difference between new EVs and new ICE vehicles is about \$9,000, the price difference between used EVs and used ICE vehicles has narrowed to only \$679. With an average purchase price of \$58,124 for new EVs, annual fees represent a small fraction of the cost to purchase and operate these vehicles.

Demand for hybrid electric vehicles (HEVs) in Minnesota is growing, with sales of all hybrid types up to 7.3% of the new car market in 2023, a significant increase from 6.1% in 2022.

Lifetime Cost of EVs versus ICE vehicles

Over the lifetime of vehicle ownership, EVs are less expensive than ICE vehicles. Due to lower fuel and maintenance costs, the lifetime savings is estimated at somewhere between \$6,000 and \$10,000.

In Minnesota, the average cost for electricity with home charging is \$571 per year while owners of ICE vehicles pay an average of \$1,268 per year for fuel. EVs typically have lower maintenance costs as they do not have the same cost for oil changes, tire rotations and brake servicing among other maintenance costs. Insurance rates for EVs does tend to be about 15% higher. EVs also tend to retain their value better than ICE vehicles.

The annual fees and charging station fees are not a major factor in consumer behavior and are not a significant cost when considering the purchase and maintenance costs of any vehicle.

Recommendations

- EV fee of at least \$200 per year to compensate for loss of revenue. Average vehicle in the fleet today pays \$234 per year in fuel tax.**

As Minnesota continues to face a significant funding shortfall just to maintain existing roads and bridges, protecting collections into the Highway User Tax Distribution Fund is critical. The state needs to ensure that growing numbers of EV and hybrid vehicles do not reduce badly needed funding for our highway infrastructure.

- Maintain 5-cent per kWh fee at public charging stations to capture revenue from out-of-state drivers.**

The fee charged at public charging stations ensures that drivers using Minnesota roadways – regardless of where they live or register their vehicles – are contributing to the maintenance of these roadways. In addition, the language in our Constitution ensures that this revenue will be used solely for a highway purpose.

- Inventory existing charging ports and invest in public charging stations around the state.**

MnDOT estimates that to meet Minnesota's goals for electrification, the state will need 193,000 charging ports by 2030. The state needs an up-to-date inventory of where current EV chargers are and develop a plan for where additional ports are needed.

The federal NEVI program is providing formula funds to help build new charging infrastructure. Additional funding is needed support the development of new charging stations, particularly in rural areas.

- **Provide tax benefits/credits to help bring down initial purchase price.**

While the federal tax incentive has been discontinued for now, many states have provided state tax credits for EV purchases. Minnesota should consider providing this type of assistance once again to promote the purchase of EVs.

- **Explore voluntary fuel-efficient vehicle fee or road user charge for electric vehicles.**

As states look to stabilize transportation funding, some are exploring road usage charges that are based on the number of miles a vehicle travels. Currently, four states have implemented a road user charge program. Most states allow drivers to choose this option for contributing to road maintenance.

The State of Virginia has implemented a Fuel-Efficient Vehicle Fee. The fee is paid at the time of registration. This fee is based on the vehicle's combined miles per gallon (MPG) and is designed to compensate for the lower gas tax revenue from vehicles that use less fuel. In addition, a voluntary Mileage Choice Program allows owners to pay a per-mile fee instead of the annual flat fee. A vehicle with a combined fuel economy of 25 miles per gallon or greater is considered a fuel-efficient vehicle.



December 12, 2025

Senator Ann Johnson Stewart
Chair, Electricity as Fuel Working Group
3211 Minnesota Senate Bldg.
St. Paul, MN 55155

RE: Submissions for Potential Recommendations

Chair Johnson Stewart,

On behalf of the Minnesota Chamber of Commerce, representing 6,300 employers and their more than 500,000 employees across the state, I am writing to share our input and feedback regarding potential recommendations made by the Electricity as Fuel Working Group.

Minnesota businesses depend upon a safe, reliable, efficient, and multimodal transportation system to get their goods to market and their employees, customers, and input materials to their door. As the transportation industry continues to move toward a more fuel-efficient vehicle fleet, we have long been supportive of efforts by the state to ensure sufficient resources exist to maintain and improve the state's roads and bridges. To that end, we have supported measures to increase the amount electric vehicles (EVs) contribute to the maintenance and upkeep of our transportation system, with a goal of doing so in a way that is commensurate with what drivers of internal combustion engine vehicles contribute through the gas tax.

We believe it is important begin this work now, while the size of the EV fleet in Minnesota is still relatively small. Current forecasts indicate that the EV fleet will only continue to grow. And, as it does, it will become more difficult to put meaningful funding mechanisms in place to backfill projected declines in the gas tax. As such, we are grateful the Legislature acted during the 2025 session, in a bipartisan manner, to increase meaningfully the contribution of EVs to the maintenance and upkeep of our transportation system. At the same time, we are pleased the 2025 legislation included the establishment of this Working Group to provide an opportunity for interested and impacted parties to review and study the state's new approach to EVs, compare and contrast it with similar measures being implemented elsewhere in the country, and offer the Legislature and policymakers additional input and suggestions about how best to position the state for success moving forward. To that end, the Minnesota Chamber offers the comments below for your review and consideration.

Electric Vehicle Charging Tax

Beginning July 1, 2027, Minnesota will levy a new excise tax of 5 cents per kilowatt-hour (kWh) of electricity sold to a customer as vehicle fuel at a public (for-profit) charging station that was installed after October 1, 2023 and has a metering system and a capacity of more than 50kW.

As the Minnesota Department of Revenue pointed out in its presentation to the Working Group, current state statute provides no standard exemption for fuel purchased by the federal government. We agree with the Department that such an exemption should be added to the law to ensure compliance with the U.S. Constitution.

The Department of Revenue also clarified that Minnesota is one of only two states in the country (the other being Kentucky) that subjects electricity sold as vehicle fuel both to an excise tax AND sales and use tax. Put simply, those charging EVs at public charging stations are being double taxed in Minnesota. What's more, at 5 cents per kWh of electricity sold, Minnesota's excise tax is already among the highest in the country. But this tax burden only increases when considering that the sales and use tax in our state adds another roughly 7% to 10% to the purchase of electricity as fuel. To avoid double taxation and to lessen the tax burden on this fuel source, we encourage the state to exempt electricity sold as vehicle fuel from sales and use tax.

We also encourage the state to level the playing field between different charging stations as it relates to the imposition of the excise tax. At present, the tax essentially applies only to level 3 charging stations where electricity as fuel is sold by a for-profit business. According to the Department of Revenue, this current structure exempts about 60% of the charging stations in the state. Over time, we are concerned this will unnecessarily lessen the value of the new excise tax as a funding source for our state's transportation infrastructure and could diminish the incentive for additional private sector investment in the state's EV charging network.

Finally, we would like to highlight and echo the request from the convenience store and travel center industry to simplify the procedures and forms for remittance of the new excise tax. The process should parallel and mirror the requirements for remittance of the state's fuel tax. We do not believe that remitting the new charging tax should be more expensive and burdensome than remitting the fuel tax.

EV Surcharge

Because it is estimated that roughly 80% of EV charging is done at home, we view the new EV charging excise tax as the primary means by which the state will generate revenue from out of state EV drivers moving through Minnesota. Conversely, we view the EV surcharge as the primary means by which Minnesota EV owners will contribute financially to the maintenance and upkeep of the state's transportation system. As such, and as noted above, we believe that the surcharge should be levied in an amount and in a way that is commensurate with what Minnesota's drivers of internal combustion engine vehicles contribute through the gas tax.

According to data presented to the Working Group by the Minnesota Departments of Transportation and Public Safety, the projected \$208 (2026) average amount levied by the newly increased EV surcharge is generally commensurate with the estimated \$234 (2026) average gas tax paid by Minnesotans. It should be noted, however, there may be opportunities for the state to improve the way in which the surcharge is calculated and levied, making it more commensurate with the gas tax in that respect.

As the Legislature's non-partisan staff noted for the Working Group, the new EV surcharge, which is calculated using the age and MSRP of the vehicle, "arguably included a focus on tax incidence (tax progressivity/regressivity, with vehicle value as a proxy for income)". This is different from how EV surcharges are calculated and levied in many other states. Virginia, for example, charges EV and other high efficiency vehicles a Highway Use Fee (HUF), which is calculated by comparing fuel tax payments of an average vehicle in Virginia to those for vehicles that get 25 miles or more per gallon. Because Virginia's HUF is tied to the state's gas tax and calculated using actual data regarding a given vehicle's fuel efficiency and the payment of the gas tax by an average driver in the state, it likely allows for a more transparent, logical, and defensible surcharge. Minnesota's surcharge approach may have value in its focus on tax incidence. But if the ultimate goal of the surcharge is to ensure EVs are financially supporting our transportation infrastructure in much the same way that the average Minnesotan does through the gas tax, there may be reason to consider an approach like Virginia's HUF.

It should be noted that Virginia has moved beyond simple reliance upon its HUF to ensure meaningful and commensurate financial contributions from EV owners. Virginians have a choice either to pay the HUF at registration or join the optional Mileage Choice Program (MCP) and pay a per mile fee, capped at the HUF amount. The flexibility and choice that is offered through Virginia's approach may be another reason for Minnesota to consider moving in a similar direction with its surcharge. However, one cannot ignore the current cost disadvantage of MCP and other mileage-based user fee/road user charge programs like it around the country. Virginia's HUF (and Minnesota's current surcharge) is collected in full at the time of registration, making it efficient and cost-effective to collect – meaning a significant share of the dollars collected are invested in transportation infrastructure. That stands in stark contrast to the cost-benefit equation of MCP, which currently costs the state of Virginia roughly \$2 to collect \$1 in revenue from the program. It is expected that improvements in technology will lower the cost of administering these types of user fees over time.

If Minnesota were to reorient its surcharge approach to one that is more closely tied to a vehicle's fuel economy and the average driver's gas tax bill, like Virginia's HUF, it may also position the state to move toward a direct user fee approach for EVs in the future, as the cost-benefit calculus of that type of model improves.

Thank you for the opportunity to provide this input. It has been a privilege to represent our members and the state's business community as a member of the Working Group. Please let me know if you have

questions about the input provided here that I can answer. I look forward to continued participation in the Working Group as we move toward the February 13, 2026, legislative report submission date.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bentley Graves".

Bentley Graves
Director, Health Care & Transportation Policy

Senator Jeff R. Howe
Senate District 13



Minnesota Senate Building
95 University Avenue West
St. Paul, MN 55155
Phone: (651) 296-2084
Email: Sen.jeff.howe@mnsenate.gov

Senate
State of Minnesota

February 11, 2026

To the Members of the Electricity as Vehicle Fuel Working Group,

Thank you for your work examining electricity as a transportation fuel and its impact on Minnesota's road funding system.

As vehicle technology changes, the Legislature must ensure our transportation funding model remains fair and sustainable. Minnesota has long relied on a user-pay system through fuel taxes to maintain our roads and bridges. That principle should continue to apply, regardless of how a vehicle is powered. Any energy source used as vehicle fuel should contribute appropriately to the upkeep of the infrastructure it depends on.

To ensure fairness and accountability, the Legislature should set clear expectations for industry. If electricity is treated as a transportation fuel, it must be taxed appropriately, and charging infrastructure must meter usage in a consistent and verifiable manner. This can be accomplished by requiring charging stations to incorporate standardized metering, with implementation required by a future date set by the Legislature. Establishing uniform metering standards promotes transparency and ensures equitable treatment across all fuel types.

This same approach should apply to any future or emerging fuels. As new technologies develop, they should meet comparable standards to ensure that all road users contribute fairly to maintaining Minnesota's transportation system.

By setting consistent, forward-looking policies, we can support innovation while protecting stable, reliable funding for our roads.

Sincerely,

A handwritten signature in black ink that reads "Jeff Howe".

Senator Jeff Howe
Minnesota Senate District 13

December 23, 2025

Senator Ann Johnson Stewart
Chair, Electricity as Fuel Working Group
3211 Minnesota Senate Bldg.
St. Paul, MN 55155

RE: Submissions for Potential Recommendations

Chair Johnson Stewart,

As a family-owned company headquartered in La Crosse, WI, Kwik Trip Inc. employs more than 39,000 co-workers and has established itself as a leader in serving both the community and its customers as a fueling and convenience retailer. Kwik Trip is committed to constantly seeking innovative solutions to better serve its customers and communities, with a particular emphasis on principles of environmental stewardship. This commitment is reflected in the company's ongoing efforts to provide a variety of lower carbon fuel options, such as biodiesel, unleaded 88, renewable natural gas, and electric vehicle (EV) charging stations.

In response to the request for feedback regarding potential recommendations from the Electricity as Fuel Working Group, Kwik Trip offers the following suggestions:

Sales and Use Tax Exemption

Kwik Trip recommends an exemption from sales and use tax on the purchase of electricity as a vehicle fuel. This measure would help to prevent double taxation and simplify the remittance process, directly reducing the tax burden associated with providing electricity as a fuel source.

Level Playing Field for Charging Stations

To promote fair competition, Kwik Trip advocates for the imposition of the new excise tax of 5 cents per kilowatt-hour (kWh) on all public-facing level 2 or level 3 chargers. Applying this excise tax uniformly will encourage competition and ensure that investments in EV charging infrastructure are well maintained. This approach also supports the sustainability of private investment in building and maintaining the State's EV charging network.

Simplified Tax Remittance Procedures

Kwik Trip supports the implementation of simplified procedures and forms for remitting the new excise tax. The company prefers bi-annual or annual remittance schedules, or at a minimum, alignment with the remittance schedules currently used for the state's fuel tax.

Thank you for considering these comments and the opportunity to provide input on behalf of the convenience and fueling industry. Please reach out with any additional questions.

Sincerely,



Adam Schwartz
Kwik Trip, Inc
Electric Vehicle Charging Program Manager

INTERNATIONAL UNION OF OPERATING ENGINEERS

LOCAL No. 49, 49A, 49B, 49C, 49D, 49E, 49L
MINNESOTA • NORTH DAKOTA • SOUTH DAKOTA

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December 12, 2025

Chair Johnson Stewart and Members of the Task Force:

Thank you for the opportunity to submit recommendations for consideration in the task force report.

It is important to view the task force report recommendations from a comprehensive transportation system funding perspective. Our state's transportation system, and its maintenance, impacts all aspects of our lives. Unfortunately, the Minnesota Department of Transportation estimates that the system is currently underfunded by almost \$18 billion over the next 20 years. Consequently, the task force should consider the following:

- Current law implements a 5 cent per kWh fee at public charging stations. **The task force should recommend the fee should be maintained, if not increased, to ensure drivers of all vehicles contribute to highway maintenance equally. Furthermore, if there any adjustments to the level of the fee, it should be indexed to the rate of inflation, so it is equal to the existing gasoline tax.**
- For the same reason, **the task force should recommend that the threshold for the charging stations be lowered to include level 2 (3-50 kWh) charging stations, not just level 3 charging stations (50 kWh).**
- **The task force should recommend the legislature clarify the definition of a public charging station to include retail charging stations.**
- The Minnesota Constitution clearly states that any taxes levied on any means or substance used for propelling vehicles on public highways shall be deposited into the highway user tax distribution fund. One could claim that the sales tax currently paid by homeowners who are charging their electric vehicles at their residence is unconstitutional as those revenues are currently deposited in the state's general fund. **The task force should recommend the legislature should continue to pursue and eventually implement a system that when a tax is paid on electricity which is fueling vehicles in a residence those revenues be deposited in the highway user tax distribution fund.**
- **The legislature should continue to clearly direct the applicable state agencies to implement legislatively agreed upon task force recommendations.**

Again, thank you for the opportunity to suggest recommendations for consideration.

Sincerely,

John Pollard
Legislative Director
International Union of Operating Engineers Local 49