



# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 1257

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H.P. 918

House of Representatives, March 14, 2019

### **An Act To Prepare Maine for a Low-carbon Transportation Future**

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Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative BRYANT of Windham.  
Cosponsored by Senator MIRAMANT of Knox and  
Representatives: COLLINGS of Portland, McLEAN of Gorham, RYKERSON of Kittery,  
SHEATS of Auburn, Senators: CHIPMAN of Cumberland, CLAXTON of Androscoggin.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 29-A MRSA §101, sub-§22-B** is enacted to read:

3 **22-B. Electric vehicle.** "Electric vehicle" means a fully electric vehicle that has an  
4 on-board electrical energy storage device that is designed to be recharged using an  
5 external energy source or a vehicle that is designed to operate using electricity produced  
6 from compressed hydrogen fuel.

7 **Sec. 2. 29-A MRSA §501, sub-§13** is enacted to read:

8 **13. Electric vehicle registration surcharge.** In addition to the payment of other  
9 applicable registration fees under this section, and except as otherwise provided in this  
10 subsection, the Secretary of State shall by rule adopted in accordance with this subsection  
11 require payment of an annual electric vehicle registration surcharge by the owner of an  
12 electric vehicle.

13 A. Except as provided in paragraph B, the annual electric vehicle registration  
14 surcharge under this subsection must be \$25, except that the Secretary of State may  
15 not require payment of a surcharge under this subsection until the Secretary of State  
16 determines that at least 3,000 electric vehicles are annually registered pursuant to this  
17 chapter.

18 B. The annual electric vehicle registration surcharge under this subsection must be  
19 increased to \$50 upon a determination by the Secretary of State that at least 10,000  
20 electric vehicles are annually registered pursuant to this chapter.

21 C. Notwithstanding section 409 or any other provision of law to the contrary, the  
22 rules adopted under this subsection must provide that the surcharges collected  
23 pursuant to this subsection must be retained by the municipality that collects the  
24 surcharges. No less than 50% of the annual surcharges collected by a municipality  
25 pursuant to this subsection must be used by the municipality to construct or modify  
26 public infrastructure that facilitates the charging of electric vehicles for use by the  
27 general public or for other purposes that encourage or support the purchase and use  
28 by the general public of electric vehicles.

29 **Sec. 3. Electric vehicle task force; report.** In accordance with the provisions  
30 of this section, the Director of the Governor's Energy Office, referred to in this section as  
31 "the director," in consultation with the Secretary of State and the Commissioner of  
32 Transportation, shall convene an electric vehicle task force, referred to in this section as  
33 "the task force."

34 1. The director shall invite, at a minimum, representatives of the Office of the  
35 Secretary of State, the Department of Transportation, environmental and energy  
36 efficiency advocacy groups and other interested parties to participate on the task force.

37 2. The task force shall, at a minimum, examine and make recommendations  
38 regarding the following matters:

1 A. Proposals for increasing the use of electric vehicles by residents of the State, for  
2 both personal and commercial use;

3 B. Proposals for the construction of the electric vehicle infrastructure necessary to  
4 support increased use of electric vehicles statewide, including, but not limited to, the  
5 construction of electric vehicle charging stations along primary travel corridors;

6 C. Development of 5-year and 10-year electric vehicle action plans based upon the  
7 electric-vehicle-related goals identified by the task force under paragraphs A and B;  
8 and

9 D. Proposals regarding the use of funds distributed or to be distributed to the State  
10 pursuant to the Volkswagen Partial Consent Decree to support the electric-vehicle-  
11 related goals identified by the task force under paragraphs A and B.

12 3. No later than February 15, 2020, the director shall submit a report regarding the  
13 findings and recommendations of the task force, including any proposed legislation, to  
14 the Joint Standing Committee on Energy, Utilities and Technology and the Joint Standing  
15 Committee on Transportation. After reviewing the report, the committees are authorized  
16 to report out legislation relating to the findings and recommendations in the report to the  
17 Second Regular Session of the 129th Legislature.

18 **Sec. 4. Department of Transportation; long-term planning; report.** The  
19 Commissioner of Transportation shall:

20 1. Review short-term and long-term planning and infrastructure investments of the  
21 Department of Transportation to develop strategies and recommendations to address  
22 reasonably expected effects of climate change, such as temperature changes, sea level  
23 rise, increased rainfall and increased water flows; to address increasing numbers of  
24 electric vehicles, both personal and commercial; and to address increasing use of ride-  
25 sharing and vehicle-sharing services and autonomous vehicles;

26 2. Analyze and propose benchmarks for ensuring that an adequate proportion of  
27 Highway Fund revenue in the future is attributable to sources other than the gasoline tax;

28 3. Initiate at least 2 pilot programs to explore and test alternative structures for road  
29 usage fees, at least one of which must be designed to test a road usage fee based on  
30 vehicle miles traveled; and

31 4. In consultation with the Public Utilities Commission, the Governor's Energy  
32 Office and other stakeholders as determined by the commissioner, assess the long-term  
33 potential for assessing fees on electricity and on public electric vehicle charging to raise  
34 additional Highway Fund revenue.

35 On or before February 15, 2021, the Commissioner of Transportation shall submit a  
36 report regarding any findings and recommendations of the Department of Transportation  
37 following completion of the actions required under this section to the joint standing  
38 committees of the Legislature having jurisdiction over energy, utilities and technology  
39 matters and transportation matters. The report must include any proposed legislation  
40 necessary to implement the recommendations in the report. After reviewing the report,

1 the committees are authorized to report out legislation to implement the findings and  
2 recommendations in the report to the First Regular Session of the 130th Legislature.

### 3 **SUMMARY**

4 This bill authorizes the Secretary of State to require the owner of an electric vehicle  
5 to pay an electric vehicle registration surcharge of \$25 per year when at least 3,000  
6 electric vehicles are annually registered in the State. The amount of the surcharge  
7 increases to \$50 per year when at least 10,000 electric vehicles are annually registered in  
8 the State. The municipality that collects the annual electric vehicle registration surcharge  
9 is required to expend no less than 50% of the surcharge to construct or modify public  
10 infrastructure that facilitates the charging of electric vehicles for use by the general public  
11 or for other purposes that encourage or support the purchase and use by the general public  
12 of electric vehicles.

13 The bill also directs the Governor's Energy Office to convene an electric vehicle task  
14 force, which is charged with reviewing a number of matters relating to electric vehicles  
15 and electric vehicle infrastructure. The director of the office is required to report by  
16 February 15, 2020 to the Joint Standing Committee on Energy, Utilities and Technology  
17 and the Joint Standing Committee on Transportation regarding any recommendations of  
18 the task force, including proposed legislation. After reviewing the report, the committees  
19 may report out legislation to the Second Regular Session of the 129th Legislature.

20 The bill also directs the Commissioner of Transportation to take a number of actions  
21 regarding short-term and long-term planning for road infrastructure and highway funding,  
22 including a review of potential new vehicle or road use fees. The commissioner is  
23 directed to report by February 15, 2021 to the joint standing committees of the  
24 Legislature having jurisdiction over energy, utilities and technology matters and  
25 transportation matters regarding those actions and including any findings and  
26 recommendations and proposed legislation necessary to implement those  
27 recommendations. After reviewing the report, the committees may report out legislation  
28 to the First Regular Session of the 130th Legislature.