



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB1291

Introduced 1/28/2025, by Rep. Dave Vella

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Electric Vehicle Motor Fuel Tax Replacement Fee Act. Provides that, for State fiscal years beginning on or after July 1, 2025, each person that is an owner of an electric vehicle registered with the Secretary of State as of July 1 of that fiscal year shall pay an annual fee for each electric vehicle owned by that person. Sets forth the amount of the fee. Requires the Secretary of State and the Department of Transportation to certify certain information to the Department of Revenue for the purpose of calculating the amount of the fee. Effective immediately.

LRB104 03113 HLH 13134 b

1 AN ACT concerning revenue.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Electric Vehicle Motor Fuel Tax Replacement Fee Act.

6 Section 5. Definitions. As used in this Act:

7 "Electric vehicle" has the meaning given to that term in  
8 Section 3-805 of the Illinois Vehicle Code.

9 "Motor vehicle" means (i) a motor vehicle of the first  
10 division or (ii) a motor vehicle of the second division  
11 weighing 8,000 pounds or less. "Motor vehicle" does not  
12 include an autocytle, motorcycle, motor driven cycle, or  
13 pedalcycle.

14 "Person" means any individual, corporation, partnership,  
15 firm, organization, or association.

16 Section 10. Fee imposed. Notwithstanding any other  
17 provision of law, for State fiscal years beginning on or after  
18 July 1, 2025, each person that is an owner of an electric  
19 vehicle registered with the Secretary of State as of July 1 of  
20 that fiscal year shall pay an annual fee for each electric  
21 vehicle owned by that person. The amount of the fee shall be  
22 the amount generated by multiplying the amount certified by

1 the Department of Transportation under Section 15 by the  
2 electric vehicle percentage certified by the Secretary of  
3 State under Section 20 and then dividing that number by the  
4 total number of registered electric vehicles in the State, as  
5 certified by the Secretary of State under Section 20.

6 Section 15. Infrastructure amount. On or before the first  
7 day of each State fiscal year that begins on or after July 1,  
8 2025, the Department of Transportation shall certify to the  
9 Department of Revenue the total amount that the Department of  
10 Transportation has budgeted for that State fiscal year for  
11 infrastructure improvements and maintenance of roads,  
12 highways, and bridges.

13 Section 20. Secretary of State; electric vehicle  
14 information. On or before August 1 of each State fiscal year  
15 that begins on or after July 1, 2025, the Secretary of State  
16 shall certify to the Department of Revenue (i) the percentage  
17 of all motor vehicles registered with the State on July 1 of  
18 the fiscal year that are electric vehicles and (ii) the total  
19 number of electric vehicles that are registered with the State  
20 on July 1 of the fiscal year. The Secretary of State shall also  
21 provide to the Department of Revenue the registration address  
22 associated with each electric vehicle that is subject to the  
23 fee under this Act.

1           Section 25. Publication of the fee amount. The Department  
2 of Revenue shall publish the amount of the fee imposed under  
3 this Act on its website no later than September 1 of each  
4 fiscal year.

5           Section 30. Payment; proceeds deposited into Road Fund.  
6 The Department of Revenue shall, on or before October 1 of each  
7 year, notify each person who is liable for payment of the fee  
8 under this Act of that person's obligation to pay the fee.  
9 Payment shall be made, in the form and manner required by the  
10 Department by rule, no later than November 15 of the  
11 applicable State fiscal year.

12           The proceeds collected from the fee imposed under this Act  
13 shall be deposited into the Road Fund.

14           Section 35. Incorporation of provisions. The provisions of  
15 Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i and 5j, 6,  
16 6a, 6b, 6c (except to the extent that the time limitations for  
17 requesting an administrative hearing, the minimum notice  
18 requirement for hearings, and the provisions regarding  
19 penalties and interest are inconsistent with this Act), 8, 9,  
20 10 and 12 of the Retailers' Occupation Tax Act which are not  
21 inconsistent with this Act, and Section 3-7 of the Uniform  
22 Penalty and Interest Act, shall apply as far as practicable to  
23 the subject matter of this Act to the same extent as if those  
24 provisions were included in this Act.

1           Section 40. Rules. This Department of Revenue, in  
2           consultation with the Secretary of State and the Department of  
3           Transportation, shall adopt rules for the administration and  
4           enforcement of this Act.

5           Section 99. Effective date. This Act takes effect upon  
6           becoming law.