

Committee Report

CONSENT CALENDAR

January 27, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Public Works and Highways to which
was referred HB 1675-FN-A,**

**AN ACT establishing a surcharge collected through E-Z
Pass for electric vehicles as an alternative road toll.**

**Having considered the same, report the same with the
following resolution: RESOLVED, that it is
INEXPEDIENT TO LEGISLATE.**

Rep. Dennis Thompson

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Public Works and Highways
Bill Number:	HB 1675-FN-A
Title:	establishing a surcharge collected through E-Z Pass for electric vehicles as an alternative road toll.
Date:	January 27, 2022
Consent Calendar:	CONSENT
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

The prime sponsor of this bill asked the committee to ITL this bill. After testimony revealed several short comings with the bill, and the fact that there are several other similar bills in process.

Vote 22-0.

Rep. Dennis Thompson
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Public Works and Highways

HB 1675-FN-A, establishing a surcharge collected through E-Z Pass for electric vehicles as an alternative road toll. **INEXPEDIENT TO LEGISLATE.**

Rep. Dennis Thompson for Public Works and Highways. The prime sponsor of this bill asked the committee to ITL this bill. After testimony revealed several short comings with the bill, and the fact that there are several other similar bills in process. **Vote 22-0.**

Voting Sheets

HOUSE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

EXECUTIVE SESSION on HB 1675-FN-A

BILL TITLE: establishing a surcharge collected through E-Z Pass for electric vehicles as an alternative road toll.

DATE: January 27, 2022

LOB ROOM: 201

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Thompson

Seconded by Rep. Abbott

Vote: 22-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep David Milz, Clerk

HOUSE COMMITTEE ON PWH

EXECUTIVE SESSION ON HB 1675

BILL TITLE: SURCHARGE FOR ETV

DATE: 1/27/2022

LOB ROOM: 701

MOTION: (Please check one box)

- OTP
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. THOMPSON Seconded by Rep. ABBOTT Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR? Yes No

Minority Report? Yes No. If yes, author, Rep.: _____ Motion: _____

Respectfully submitted, Rep. David B. Mc..., Clerk



2022 SESSION

Public Works and Highways

 Bill #: 1675 Motion: JTL AM #: _____ Exec Session Date: 1/27/2022

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Graham, John A. Chairman	22		
McConkey, Mark E. Vice Chairman <i>FOLSOM</i>	1		
Milz, David E. Clerk	2		
Somero, Paul J.	3		
Fedolfi, Jim L.	4		
Newton, Clifford A. <i>NOTTER</i>	5		
Blasek, Melissa	6		
Bordes, Mike	7		
Kaczynski, Thomas L.	8		
Kilanski, Ben M. <i>PLETT</i>	9		
Thompson, Dennis J.	10		
Boyd, Bill	11		
Cloutier, John R.	12		
Edgar, Michael A.	13		
Ebel, Karen E.	14		
Jack, Martin L.	15		
Abbott, Michael D.	16		
Faulkner, Barry	17		
Newman, Sue A.	18		
Eaton, Daniel A.	19		
Pedersen, Michael P.	20		



2022 SESSION

Public Works and Highways

Bill #:	Motion:	AM #:	Exec Session Date:
Query, Joshua F.		21	
Bunker, Lisa H.			
TOTAL VOTE:			

Public Hearing

HOUSE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

PUBLIC HEARING ON HB1675

BILL TITLE: Establishing a surcharge collected through E-Z Pass for electric vehicles as an alternative road toll

DATE: 01/19/2022

LOB ROOM: 201

Time Public Hearing Called to Order: 1:15 pm

Time Adjourned: 1:25 pm

Committee Members: Reps. Graham, Somero, Blasek, Thompson, Cloutier, Edgar, Jack, Abbott, Faulkner, S. Newman, Eaton, Pedersen, and Query

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Dennis Thompson, prime sponsor

* Attachment A, written testimony

The witness read the written testimony. Rep. Faulkner asked if the sponsor had considered the effect if transponders are shared among vehicles. The response was that it was not. Rep. Graham asked if the vehicle is out of state how do we know if it is electric. The response is that the sponsor is told E-Z Pass has that information but there is a fee to access it.

Kelly Buchanan, Clean Energy New Hampshire

This bill is premature. The witness prefers a consensus solution as proposed in HB1040.

John Corcoran, Department of Transportation, Bureau of Turnpikes

The department has no position. The account is tied to the transponder. If the customer moves it among cars, it can't be implemented. The customer may sell their electric vehicle without notifying E-Z Pass. The bill is unequitable because only electric vehicles are charged extra, and because cash customers do not pay. The bill would need software and operational changes. Rep. Jack asked if it is even possible to direct toll collections to the Highway Fund. The witness is not sure. Rep. Boyd asked if the transponder could be coded to the plate. The response is that we do not do that now and there is a vendor involved.

Respectfully submitted,

Martin L. Jack
Acting Clerk

House Remote Testify

Public Works and Highways Committee Testify List for Bill HB1675 on 2022-01-19

Support: 1 Oppose: 10 Neutral: 1 Total to Testify: 0

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Smith, Jennifer	Pembroke, NH jaycmd7699@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/15/2022 7:41 AM
Coder, William	Bedford, NH wcoder@aol.com	A Member of the Public	Myself	Oppose	No	No	1/15/2022 10:47 AM
Howland, Curtis	Manchester, NH howland@priss.com	A Member of the Public	Myself	Oppose	No	No	1/16/2022 5:48 PM
Sinkler, Wharton	Sandwich, NH wsinkler@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/16/2022 7:58 PM
Saum, Judith	Rumney, NH judithsaum@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/17/2022 7:28 AM
Beffa-Negrini, Patricia	Nelson, NH pbeffa@me.com	A Member of the Public	Myself	Oppose	No	No	1/17/2022 2:37 PM
Anastasia, Patricia	Londonderry, NH patti.anastasia@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/17/2022 7:29 PM
Moran, Brian	Stoughton, MA brian@necsema.net	A Lobbyist	NE Convenience Store & Energy Marketers Assoc.	Support	No	No	1/18/2022 1:34 PM
kwasnik, joseph	concord, NH jkwasnik25@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/18/2022 5:47 PM
Chester, Russan	Bedford, NH russan.chester@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/19/2022 7:37 AM
Osborne, Jason	Auburn, NH houstorepoffice@leg.state.nh.us	An Elected Official	Myself	Oppose	No	No	1/19/2022 8:04 AM
Lentz, Colin	SRPC, NH clentz@strafford.org	State Agency Staff	Strafford Regional Planning Commission	Neutral	No	No	1/19/2022 8:49 AM

Testimony

Archived: Thursday, January 20, 2022 9:36:31 AM
From: [Frank Miles](#)
Sent: Saturday, January 15, 2022 11:04:21 AM
To: ~House Public Works and Highways
Subject: HB 1657
Importance: Normal

New Hampshire House Public Works and Highways Committee;

I have an alternative suggestion to HB 1657. Do away with the gas tax which has been a dismal failure and very unfair. A better form of funding is needed to maintain our highway system for all vehicles including EVs.

Weight is the significant factor for the care of state roads and it should be the basis for taxation to support roads and highways. It would treat all vehicle fairly including electric vehicles, both cars and future trucks.

Thank you for considering this alternative.

Frank Miles

Frank Miles
26 Penn Rd, Apt 331
Hanover, NH 03755
(603)277-9323 H
fbsmil3@gmail.com

Archived: Thursday, January 20, 2022 9:36:31 AM
From: [Marjorie Rogalski](#)
Sent: Friday, January 14, 2022 12:48:11 PM
To: [~House Public Works and Highways](#)
Subject: HB 1657-FN
Importance: Normal

To Chairman Graham and all members of the Public Works and Highways Committee:

Any fees assigned to NH vehicle owners should be equally assigned. The most appropriate way to do this is not by the type of fuel used in the vehicle but by the number of miles driven by that vehicle each year AND by the weight of the vehicle--be it a truck, van, or automobile, etc.

The maintenance of the road is derived by the overall number of miles driven by vehicles using those roads and the weight that is being sustained. I urge the committee and other members of the legislature to consider restructuring the taxes and fees collected for highway maintenance in light of these factors.

I urge you to vote NO on HB 1675.

Regards,

Marjorie Rogalski
Hanover, NH

Archived: Thursday, January 20, 2022 9:36:31 AM
From: [Steele, Ben](#)
Sent: Saturday, January 15, 2022 3:24:58 PM
To: [~House Public Works and Highways](#)
Subject: HB 1675 - opposition
Importance: Normal

I am writing to urge you to oppose HB1675, the bill to establish an EZ pass fee on electric vehicles. We should be encouraging use of non-carbon producing transportation, not adding fees to them. A fee on EV's would conflict with federal tax credits for EV's and incentives in many other states. Although we will need to come up with alternative ways to fund highways as more and more EV's are on the road, it makes more sense for the fee to be based on miles driven and weight. Furthermore, as written HB 1675 would heavily impact drivers who commute through toll booths in EV's.

Ben Steele
276 Hanover Center Road
Etna, NH 03750

Archived: Thursday, January 20, 2022 9:36:31 AM
From: [Dennis Robison](#)
Sent: Friday, January 14, 2022 4:49:28 PM
To: ~House Public Works and Highways
Subject: HB 1675
Importance: Normal

I wish to express my opposition to this legislation as it is currently proposed. Toll fees for Electric Vehicles should be based on miles driven and weight, not fuel used.

Dennis E. Robison
32 Penn Road Apt. 219
Hanover NH 03755
603-643-2448

--

Dennis E. Robison
robisode@gmail.com



CLEAN ENERGY NH
Your Voice in All Energy Matters

14 Dixon Ave, Suite 202 | Concord, NH 03301 | 603.226.4732

January 19, 2021

Representative John Graham, Chair
House Public Works and Highways Committee
Legislative Office Building, Room 201
Concord, NH 03301

Testimony on HB1675-FN, establishing a surcharge collected through EZ Pass for electric vehicles as an alternative road toll

Dear Chair Graham and members of the Committee,

Clean Energy NH (CENH) is a non-profit, member-based organization. We are New Hampshire's leading clean energy advocate that is dedicated to supporting policies and programs that strengthen our state's economy by encouraging a transition to renewable energy and promoting energy efficiency. CENH founded and manages the coalition of electric vehicle advocates, Drive Electric NH, whose mission is to accelerate the adoption of electric vehicles and installation of supporting charging infrastructure in NH by increasing knowledge and awareness of EVs through education and outreach.

CENH opposes HB1675-FN because there is another bill, [HB1040](#), establishing a commission to study revenue alternatives to the road toll for battery-electric and hybrid-electric vehicles (EVs) for the funding of maintenance and improvements to the state's highways and bridges submitted this session. HB1040 presents a more appropriate approach to determining a revenue alternative to the road toll for EVs. Studying this issue, while overall adoption of EVs is very low in New Hampshire, will create a more thoughtful solution to addressing shortfalls in funding for the state's highways and bridges.

In passing HB1040, New Hampshire's General Court will show the foresight to address this issue before EVs become the dominant mode of transportation. We have the time required to complete a thorough and well-informed study on the matter. Involving stakeholders in this determination will only aid the General Court in the passage of an eventual consensus based solution, which may include some form of a road toll for electric vehicles.




CLEAN ENERGY NH
Your Voice in All Energy Matters

14 Dixon Ave, Suite 202 | Concord, NH 03301 | 603.226.4732

CENH opposes HB1675-FN for the reasons described above and asks you to find that HB1675-FN is inexpedient to legislate.

Sincerely,

Kelly Buchanan
Director of Legislative & Regulatory Affairs
Clean Energy NH
Kelly@cleanenergynh.org
303-956-1246

Archived: Thursday, January 20, 2022 9:36:29 AM
From: [Marilyn Crichlow](#)
Sent: Wednesday, January 19, 2022 11:09:44 AM
To: ~House Public Works and Highways
Subject: Highway funding
Importance: Normal
Attachments: [OPPOSE NH HB1657.rtf](#) ;

Archived: Thursday, January 20, 2022 9:36:31 AM
From: [Sherry Boschert](#)
Sent: Saturday, January 15, 2022 5:43:00 PM
To: [~House Public Works and Highways](#)
Subject: Oppose HB1675
Importance: Normal

Dear House Public Works and Highways Committee,

Please figure out a better, fairer way to tax vehicles to support the costs of roads and infrastructure than the unfair HB1675, which proposes a surcharge on EVs that use EZ Pass. I've been driving electric vehicles (EVs) for 20 years now, and I'm totally willing to pay my share of costs that don't get collected from me in gas taxes because I don't use gas. But the EZ Pass surcharge is not the way to do it. For one thing, it will hit commuters hardest. I don't commute, and rarely use EZ Pass because I drive locally, so I won't be paying my fair share, one could argue.

There are strategies that will treat *all* vehicles evenly by not singling out EVs. If you tax vehicles based on the miles driven each year and the weight of the vehicle, you'll be taking into account the real impact of each vehicle on our roads regardless of which kind of fuel is used. A separate surcharge on EVs will only delay society's shift to driving on cleaner, cheaper, domestic electricity, which should be a goal for all of us.

Please stop HB1675 and come up with a fairer way to raise the funds needed to maintain our roads. Sincerely,

Sherry Boschert
Lebanon, NH

A
HB1675

Dennis J. Thompson
New Hampshire State Representative
Coos District #1



603-867-7536

Dennis.Thompson@leg.state.nh.us

January 17, 2022
Chairman PW&H
Legislative Office Building
Room 201-203
Concord, NH 03301

RE: HB 1675-FN

Mr. John Graham – Chairman
and the Committee

HB 1675-FNA is an amendment to RSA 260, a bill that will attach an additional \$.50 fee to the road toll charged at any toll booth in New Hampshire with respect to any electric vehicle. The State of NH currently has 2800 electric vehicles registered in the State, most of which are located in the southern part of the State. The State of Massachusetts has 21,010, and the State of Maine has 1920. It is assumed for the purpose of this bill that many or most of these vehicles will pass through the New Hampshire tolls a number of times a week. Each of the toll plazas in Hooksett, and Hampton have multiple charging stations that will attract EV users in both directions into and out of the State. With the theory that most electric vehicles have a relatively limited travel distance as opposed to a gasoline powered vehicle. Each electric vehicle can travel 136 miles for the 32 miles that a gas powered vehicle can go.(source EPA) Given the current gas tax in New Hampshire of \$.24 per gallon a gas vehicle will cost \$1.02 to go 136 miles and the bill asks for the owners of electric vehicles to pay only \$.50 for the same mileage. Although it seems that the electric vehicle owners get a substantial discount over a gas vehicle, they deserve it as they will emit no carbon footprint although they still need to pay something for the use of New Hampshire's roads and the gas powered owners need an incentive to purchase electric vehicles. Both GM and Chrysler have announced that they will no longer produce internal combustion engines after 2035. This bill is a simple short term solution to a long term problem. It is my hope that the Legislature will come up with a permanent long term solution within the next couple of years, and this bill can sunset.

You can use these comparisons, Assuming 50% of the vehicle use is off turnpike and if someone uses there electric vehicle 12,000 mile a year on the road system it will cost them approximately \$666.00 based on 136 miles per toll use. If someone uses their gas vehicle 12,000 miles a year on the road system with 50% off Turnpike, it will cost them \$1,440.00 based on 136 miles per toll use.

I have has a couple of comments that resist this formula that have supported additional registration fees, or fee by weight of the vehicle. I don't think either of these ideas will work.

For the registration fee to work one would have to know how many miles a year the vehicle would travel in order to calculate the gas tax with relation to registration fee. **Indeterminable**

For the weight system to work the value of a pound to the cost of the gas tax on each individual vehicle combined with a calculation of how a pound of weight would affect the damage to road system. **Indeterminable**

Bill as
Introduced

HB 1675-FN-A - AS INTRODUCED

2022 SESSION

22-2481

11/10

HOUSE BILL ***1675-FN-A***

AN ACT establishing a surcharge collected through E-Z Pass for electric vehicles as an alternative road toll.

SPONSORS: Rep. Thompson, Coos 1; Rep. P. Schmidt, Straf. 19

COMMITTEE: Public Works and Highways

ANALYSIS

This bill establishes a surcharge collected through E-Z Pass for electric vehicles as an alternative road toll. The provisions are repealed in 2025.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struck through.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT establishing a surcharge collected through E-Z Pass for electric vehicles as an alternative road toll.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Road Toll; Alternative Road Toll for Electric Vehicles. Amend RSA 260 by
2 inserting after section 32-c the following new section:

3 260:32-d Alternative Road Toll for Electric Vehicles. There is hereby established an additional
4 \$.50 fee, to be assessed at every toll within the interagency toll collection system in New Hampshire,
5 as defined in RSA 237:16-a, III, on any transponder attached to an electric vehicle, as defined in RSA
6 236:132, II, registered within this state. Such toll charge shall be in addition to any toll charge
7 assessed for any non-electric motor vehicle. Any toll charge collected pursuant to this section shall
8 deposited into the highway fund pursuant to RSA 260:35, less apportionment A distributions under
9 RSA 235:23, I.

10 2 New Section; Additional Use of E-Z Pass System; Alternative Road Toll. Amend RSA 237 by
11 inserting after section 16-g the following new section:

12 237:16-h Additional Use of E-Z Pass System; Alternative Road Toll. The commissioner shall
13 approve the use of the E-Z Pass system for the payment of the alternative road toll for electric
14 vehicles established pursuant to RSA 260:32-d.

15 3 Prospective Repeal. The following are repealed:

16 I. RSA 260:32-d, relative to the alternative road toll for electric vehicles.

17 II. RSA 237:16-h, relative to additional use of the E-Z Pass system for alternative road tolls.

18 4 Effective Date.

19 I. Section 3 of this act shall take effect January 2, 2025.

20 II. The remainder of this act shall take effect January 1, 2023.

**HB 1675-FN-A- FISCAL NOTE
AS INTRODUCED**

AN ACT establishing a surcharge collected through E-Z Pass for electric vehicles as an alternative road toll.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	<input type="checkbox"/> General Fund	<input type="checkbox"/> Education	<input checked="" type="checkbox"/> Highway	<input checked="" type="checkbox"/> Other - Turnpike

LOCAL:

Revenue	\$0	\$0	Indeterminable Increase	Indeterminable Increase
Expenditures	\$0	\$0	\$0	\$0

METHODOLOGY:

This bill, effective January 1, 2023, with a prospective repeal January 2, 2025, establishes an additional \$0.50 fee to be assessed at every toll within the interagency toll collection system in the state on any transponder attached to an electric vehicle. The Department of Transportation states revisions (e.g., changes to the E-ZPass account system, web site, revised applications, file process for the transferring funds) and their direct cost to the E-ZPass system to incorporate this change is indeterminable. The Department also states there may be increased administrative efforts needed relative to customer service issues, with costs indeterminable, during the period of the additional fee (January 2023 – December 2025).

While this bill will increase revenue to the state in FY 2023, FY 2024, and FY 2025, the amount is indeterminable as neither the Department of Transportation nor the Department of Safety have data relative to electric vehicle turnpike system usage. Also, pursuant to RSA 235:23 (“Apportionment A”), 12 percent of road toll and motor vehicle fees collected are distributed to municipalities, therefore, under this bill state expenditures and local revenue would increase in FY 2024, FY 2025, and FY 2026, by an indeterminable amount. For informational purposes,

the Department of Safety reports there are approximately 2,800 registered electric vehicles in the state (2021).

AGENCIES CONTACTED:

Department of Safety and Department of Transportation