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**SENATE BILL NO. 127****AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee on Finance  
on January 15, 2014)

(Patrons Prior to Substitute—Senators Newman, Ebbin [SB 1], Marsden [SB 38], Miller [SB 159], Petersen [221], and Wagner [SB 506])

*A BILL to amend and reenact § 58.1-2249 of the Code of Virginia, relating to eliminating the annual license tax on hybrid electric motor vehicles.*

**Be it enacted by the General Assembly of Virginia:**

**1. That § 58.1-2249 of the Code of Virginia is amended and reenacted as follows:**

**§ 58.1-2249. Tax on alternative fuel.**

A. There is hereby levied a tax at the rate levied on gasoline and gasohol on liquid alternative fuel used to operate a highway vehicle by means of a vehicle supply tank that stores fuel only for the purpose of supplying fuel to operate the vehicle. There is hereby levied a tax at a rate equivalent to that levied on gasoline and gasohol on all other alternative fuel used to operate a highway vehicle. The Commissioner shall determine the equivalent rate applicable to such other alternative fuels.

B. (Contingent expiration date) In addition to any tax imposed by this article, there is hereby levied an annual license tax of \$64 per vehicle on each highway vehicle registered in Virginia that is an electric motor vehicle, a ~~hybrid electric motor vehicle~~, or an alternative fuel vehicle. However, no license tax shall be levied on any vehicle that (i) is subject to the tax on fuels levied pursuant to subsection A, (ii) is subject to the federal excise tax levied under § 4041 of the Internal Revenue Code, (iii) is a moped as defined in § 46.2-100, or (iv) is registered under the International Registration Plan. If such a highway vehicle is registered for a period other than one year as provided under § 46.2-646, the license tax shall be multiplied by the number of years or fraction thereof that the vehicle will be registered. The revenues generated by this subsection shall be deposited in the Highway Maintenance and Operating Fund.

B. (Contingent effective date) In addition to any tax imposed by this article, there is hereby levied an annual license tax of \$50 per vehicle on each highway vehicle registered in Virginia that is an electric motor vehicle. If such a highway vehicle is registered for a period other than one year as provided under § 46.2-646, the license tax shall be multiplied by the number of years or fraction thereof that the vehicle will be registered.

**2. That the Commissioner of the Department of Motor Vehicles shall establish a process to refund, without interest, any portion of the annual license tax collected pursuant to subsection B of § 58.1-2249 of the Code of Virginia on hybrid electric motor vehicles, as defined under § 58.1-2201 of the Code of Virginia, that is attributable to registration years beginning on or after July 1, 2014.**