

Before the Senate Transportation Committee
Presented by Zack Pistora, Kansas Sierra Club
Oral Opponent on HB 2121
3-11-25



Chairman Petersen and Honorable Members of the Committee,

Thank you for the opportunity to submit opponent testimony on HB 2121, a bill that increases the annual licensing fees of hybrid and electric passenger vehicles, trucks, and motorcycles. HB 2121 also changes the way fees are distributed to the State Highway Fund and the special city and county highway fund.

We stand opposed to HB 2121 because the proposed increase of annual license fees on battery electric vehicles (BEVs) is not proportional with their use of the roads compared to highway use of conventional vehicles, therefore EV drivers are being overcharged with a \$165 annual fee. While we appreciate the legislative intent to adjust highway fees based on increasing sales for electric vehicles, especially new electric trucks and motorcycles, in the hopes of achieving fairness for paying for Kansas' roads and highways, HB 2121 doesn't account for the unique characteristic that drivers of electric vehicles drive *fewer* miles annually compared to conventional vehicles therefore HB 2121 overburdens electric vehicle drivers with punitive registration fees.

The big problem with HB 2121 is that it overlooks the point that drivers of electric vehicles actually drive fewer miles than average conventional vehicle drivers.

According to a recent comprehensive study by George Washington University's Dept. of Engineering and National Renewable Energy Laboratory, odometer readings from millions of used cars and SUVs listed between 2016 and 2022 reveals that battery electric vehicles (BEVs) have accumulated fewer annual miles than conventional gasoline vehicles (CVs): 7,165 compared with 11,642 for cars, and 10,184 compared with 12,979 for SUVs. On average, non-Tesla all-electric cars have 39% fewer miles annually compared to CVs, while Tesla cars have 25% fewer miles annually. So, battery electric vehicles do not use the roads as much as ICE vehicles, thus HB 2121 is unfairly appropriating a higher registration fee on EVs than their real use of the roads. With this data in mind, if we assume a 32% less road use for all-electric vehicles, the fair gas tax equivalency should be ~\$100 per year, thus an **\$130 annual fee for all-electric cars, \$140 for all-electric trucks, and \$25 for all-electric motorcycles would be more accurate and fairer.** We urge eliminating dividing hybrid vehicles categories and suggest a \$75 fee be a reasonable compromise.

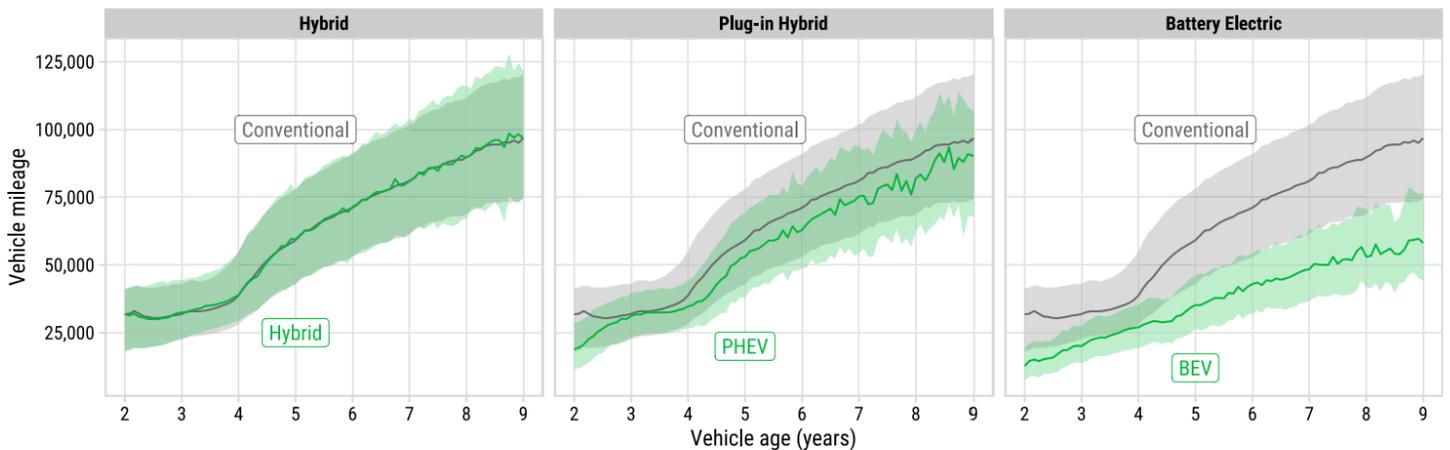


Figure 1. Comparison of the median and interquartile ranges of car odometer readings by powertrain and age

The solid line shows the median mileage and the bands reflect the 25th and 75th percentiles. The same curve for CVs (in gray) is shown for comparison in each sub-figure.

Road repair costs have presumably gone up, but the State's Gasoline Tax has stayed the same for decades:

According to [KS Dept of Revenue data](#), the Kansas Motor Fuels Tax has stayed at 24 cents per gallon since fiscal year 2004. Meanwhile, the cumulative price increase over the last 20 years is 65 cents on the dollar (according to the Bureau of Labor Statistics CPI Inflation Calculator). [The average price of gasoline has risen about \$1 over that same time period, but that additional cost doesn't really affect the gas tax]. Put another way, while the cost value of road repair has gone up with inflation through the years, the amount collected per gallon for the road repair has been lagging. So, if we want to have a real conversation about the future of the State Highway Fund, we need to consider increasing the gas tax consistent with inflation.

Want equity in road repairs? Consider increasing fees on the heavy-weight vehicles.

Compared to traditional fuel-combustion vehicles, electric and hybrid vehicles are advantageous to their heavyweight counterparts when it comes to road damages, road safety, air pollution, congestion, noise, and more. Especially compared to heavy trucks and commercial vans, electric and hybrid vehicles comprise the preferred set of vehicle traits, being lightweight and quiet, and often travel a shorter amount of miles due to range limits. They produce much less noise than diesel motors, emit much less air pollution, and are also better for overall road safety compared to big trucks and SUVs too. Furthermore, electric vehicles may help the broader needs of increased demand to the electrical grid, which could offset cost incremental costs of electricity.

We should really not be making any changes to fees without discussing a more comprehensive strategy for sustainable funding of Kansas transportation.

The Kansas Chapter of Sierra Club has been involved in several discussions over the years with the Kansas Legislature and stakeholders on the promise and challenges of electric vehicles (EV), including the EV road repair compromise in 2019 (HB 2214). Five years ago, the Kansas Legislature passed the 2019 law to resolve the concern for electric vehicles paying their fair share into the State Highway Fund. Since then, seemingly no action has been taken to have conventional vehicles, who make up roughly 96% of Kansas vehicles on our roads (according to KDOT figures), increase their portion of road funding.

The Sierra Club recognizes that funding for transportation infrastructure, including transit and road maintenance and operations, may face challenges as gas tax revenues decline due mostly to more efficient gasoline powered vehicles and the gas tax not adjusting with inflation. The Sierra Club supports the consideration of a wide array of solutions, including fees based on weight or vehicle miles traveled or the energy intensity of fuels. Ideally, no fees should be instituted on drivers of electric vehicles as a singled out group until the sales trajectory reaches the levels needed to reach our shared climate protection targets. We should be incentivizing rather than discouraging drivers from shifting to cleaner vehicles.

In sum, we think HB 2121 is unfair and needs a “tune-up.” We also think the Legislature needs to put a pollution tax on gas guzzlers, increase fees on heavy trucks, and/or consider increasing the gasoline tax.

Sincerely,

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The Sierra Club is the largest grassroots environmental organization dedicated to enjoying, exploring, and protecting our great outdoors. The Kansas Chapter has been our state's strongest grassroots voice on environmental matters for fifty years.