

(PRE-FILED)

By: **Delegate Kach**

Requested: August 9, 2005

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Assigned to: Ways and Means

Committee Report: Favorable

House action: Adopted

Read second time: February 14, 2006

CHAPTER _____

1 AN ACT concerning

2 **Motor Vehicle Excise Tax - Trailers**

3 FOR the purpose of altering a certain definition under the motor vehicle excise tax to
4 reduce the minimum fair market value on which the tax is calculated for certain
5 used trailers; defining a certain term; providing for the effective date of certain
6 provisions of this Act; providing for the termination of certain provisions of this
7 Act; and generally relating to the motor vehicle excise tax.

8 BY repealing and reenacting, with amendments,
9 Article - Transportation
10 Section 13-809(a)
11 Annotated Code of Maryland
12 (2002 Replacement Volume and 2005 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article - Transportation
15 Section 13-809(a)
16 Annotated Code of Maryland
17 (2002 Replacement Volume and 2005 Supplement)
18 (As enacted by Chapters 361 and 362 of the Acts of the General Assembly of
19 2001)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Transportation**

2 13-809.

3 (a) (1) In this section the following words have the meanings indicated.

4 (2) "Fair market value" means:

5 (i) Except as provided in item [(iv)] (V) of this paragraph, as to the
6 sale of any new or used vehicle by a licensed dealer, the total purchase price, as
7 certified by the dealer;8 (ii) [As] EXCEPT AS PROVIDED IN ITEM (IV) OF THIS PARAGRAPH,
9 AS to a used vehicle that is sold by any person other than a licensed dealer and that
10 has a designated model year that is 7 years old or older, the greater of:

11 1. The total purchase price; or

12 2. \$640;

13 (iii) [As] EXCEPT AS PROVIDED IN ITEM (IV) OF THIS PARAGRAPH,
14 AS to any other used vehicle that is sold by any person other than a licensed dealer:15 1. The total purchase price, if the total purchase price is less
16 than \$500 below the retail value of the vehicle as shown in a national publication of
17 used car values adopted for use by the Department; or18 2. If the total purchase price is \$500 or more below the retail
19 value of the vehicle as shown in a national publication of used car values adopted for
20 use by the Department:21 A. The total purchase price, if verified to the satisfaction of
22 the Administration by a notarized bill of sale submitted in accordance with subsection
23 (d)(2) of this section; or24 B. The valuation shown in the national publication of used
25 car values, if the Administration finds that the documentation submitted under
26 subsection (d)(2) of this section fails to verify the total purchase price;27 (IV) AS TO A USED TRAILER THAT IS SOLD BY ANY PERSON OTHER
28 THAN A LICENSED DEALER, THE GREATER OF:

29 1. THE TOTAL PURCHASE PRICE; OR

30 2. \$320;

31 [(iv)] (V) As to the sale of any new or used motor home or travel
32 trailer by a licensed dealer, or a dealer licensed by another state or a foreign country,
33 the total purchase price, as defined in paragraph (4)(ii) of this subsection, as certified
34 by the dealer on a form acceptable to the Administration; and

1 [(v)] (VI) In any other case, the valuation shown in a national
2 publication of used car values adopted for use by the Department.

3 (3) "Motor home" has the meaning stated in § 11-134.3 of this article.

4 (4) "Total purchase price" means:

5 (i) Except as provided in item (ii) of this paragraph, the price of a
6 vehicle agreed on by the buyer and the seller, including any dealer processing charge,
7 with no allowance for trade-in or other nonmonetary consideration; and

8 (ii) In the case of a motor home or travel trailer, the price of the
9 motor home or travel trailer agreed on by the buyer and the seller less the value, not
10 to exceed the value shown in a national publication of used motor home and travel
11 trailer values adopted for use by the Department, of any motor home or travel trailer
12 that is traded in as part of the consideration of the sale.

13 (5) "TRAILER" HAS THE MEANING STATED IN § 11-169 OF THIS ARTICLE.

14 [(5)] (6) "Travel trailer" has the meaning stated in § 11-170 of this
15 article.

16 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
17 read as follows:

18 **Article - Transportation**

19 13-809.

20 (a) (1) In this section the following words have the meanings indicated.

21 (2) "Fair market value" means:

22 (i) As to the sale of any new or used vehicle by a licensed dealer,
23 the total purchase price, as certified by the dealer;

24 (ii) [As] EXCEPT AS PROVIDED IN ITEM (IV) OF THIS PARAGRAPH,
25 AS to a used vehicle that is sold by any person other than a licensed dealer and that
26 has a designated model year that is 7 years old or older, the greater of:

27 1. The total purchase price; or

28 2. \$640;

29 (iii) [As] EXCEPT AS PROVIDED IN ITEM (IV) OF THIS PARAGRAPH,
30 AS to any other used vehicle that is sold by any person other than a licensed dealer:

31 1. The total purchase price, if the total purchase price is less
32 than \$500 below the retail value of the vehicle as shown in a national publication of
33 used car values adopted for use by the Department; or

