

SENATE BILL 76

R7

3lr0048

(PRE-FILED)

By: **Chair, Budget and Taxation Committee (By Request – Departmental – Transportation)**

Requested: November 15, 2012

Introduced and read first time: January 9, 2013

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicle Administration – Fee-Setting Authority – Miscellaneous Fees**

3 FOR the purpose of repealing the requirement that the Motor Vehicle Administration,
4 before the start of a fiscal year, alter the levels of certain miscellaneous fees for
5 the upcoming fiscal year if a certain projected cost recovery exceeds a certain
6 amount; repealing a certain limit on the levels at which the Administration may
7 set miscellaneous fees; repealing certain language made obsolete by this Act;
8 and generally relating to Motor Vehicle Administration fees.

9 BY repealing and reenacting, with amendments,
10 Article – Transportation
11 Section 12–120
12 Annotated Code of Maryland
13 (2012 Replacement Volume)

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

16 **Article – Transportation**

17 12–120.

18 (a) In this section, “miscellaneous fees” means all fees collected by the
19 Administration under this article other than:

20 (1) The vehicle titling tax;

21 (2) One-half of the certificate of title fee under § 13–802 of this article;

22 and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) Vehicle registration fees under Part II of Title 13, Subtitle 9 of this
2 article.

3 (b) Except as provided in this section, the Administration may not alter the
4 miscellaneous fees that the Administration is authorized under this article to
5 establish.

6 (c) **[(1)]** Subject to the limitations under subsection (d) of this section,
7 before the start of any fiscal year the Administration by regulation may alter, effective
8 beginning in the upcoming fiscal year, the levels of the miscellaneous fees that the
9 Administration is authorized under this article to establish.

10 **[(2)** The Administration shall alter the levels of miscellaneous fees for
11 the upcoming fiscal year if the projected cost recovery under subsection (d) of this
12 section exceeds 100%.**]**

13 (d) The Administration shall set the levels of miscellaneous fees so that the
14 total amount of projected revenues from all miscellaneous fees for the upcoming fiscal
15 year is at least 95 percent **[but does not exceed 100 percent]** of the sum of:

16 (1) The operating budget of the Administration for that fiscal year as
17 approved by the General Assembly in the annual State budget;

18 (2) The average annual capital program of the Administration as
19 reported in the 6-year Consolidated Transportation Program described in § 2-103.1 of
20 this article; and

21 (3) The Administration's portion of the cost for that fiscal year of the
22 Department's data center operations, except for the cost of data center operations
23 attributable to other administrations' activities.

24 (e) (1) The Administration may not alter miscellaneous fees more than
25 once in any fiscal year.

26 (2) **[**The Administration need not reduce fees for the upcoming fiscal
27 year if legislative budget modifications cause the projected cost recovery percentage to
28 exceed 100 percent.**]**

29 **(3)]** The level of a miscellaneous fee set by the Administration remains
30 in effect until again altered by the Administration as provided under this section.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 July 1, 2013.