

## Article - Transportation

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§13–818.

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

(2) “Fuel economy” has the meaning stated in § 4064 of the Internal Revenue Code as determined and adjusted by the U.S. Environmental Protection Agency to account for the difference between controlled laboratory conditions and actual road driving.

(3) “Model type” and “model year” have the meaning stated in § 4064 of the Internal Revenue Code.

(4) “Passenger car” means a motor vehicle that may be registered as a Class A (passenger) vehicle or registered under § 13–937 of this title as a Class M (multipurpose) vehicle.

(b) In conjunction with the tax imposed under § 13–809 of this subtitle, a fuel efficiency surcharge or fuel efficiency credit shall be imposed under this section based on the fuel economy rating of the model type of the passenger car.

(c) (1) (i) Subject to paragraph (2) of this subsection, for new or used passenger cars with a model year of 1993 or 1994, a fuel efficiency surcharge of \$100 shall be imposed on all such passenger cars that have a fuel economy rating that is less than 21 miles per gallon.

(ii) 1. This subparagraph does not apply to a passenger car registered under § 13–616 of this title.

2. Subject to paragraph (2) of this subsection, for new or used passenger cars with a model year of 1995 or thereafter, a fuel efficiency surcharge shall be imposed on all such passenger cars that have a fuel economy rating that is less than 27 miles per gallon. The fuel efficiency surcharge shall be an amount equal to the product of multiplying:

A. \$50; and

B. The nearest whole number of miles per gallon that the fuel economy rating of the model type of the automobile is less than 27 miles per gallon.

(2) The surcharge imposed under paragraph (1) of this subsection may not exceed an amount equal to 1% of the total purchase price of the passenger car as defined in § 13–809 of this subtitle.

(3) (i) Subject to paragraph (4) of this subsection, for new or used passenger cars with a model year of 1993 or 1994, a fuel efficiency credit of \$50 shall

be granted for all passenger cars that have a fuel economy rating that is greater than 35 miles per gallon.

(ii) Subject to paragraph (4) of this subsection, for new or used passenger cars with a model year of 1995 and thereafter, a fuel efficiency credit shall be granted for all passenger cars that have a fuel economy rating that is greater than 35 miles per gallon. The fuel efficiency credit shall be an amount equal to the product of multiplying:

1. \$50; and

2. The nearest whole number of miles per gallon that the fuel economy rating of the model type of the automobile is greater than 35 miles per gallon.

(4) The credit granted under paragraph (3) of this subsection may not exceed an amount equal to 1% of the total purchase price of the passenger car as defined in § 13–809 of this subtitle.

(d) The proceeds collected under this section shall be deposited in the Transportation Trust Fund and, to the extent not required by any lawful pledge, covenant, dedication, or commitment for the annual debt service on bonds referred to in § 3–216(e) of this article, shall be disbursed in accordance with this section.

(e) The proceeds collected from the fuel efficiency surcharge imposed under this section shall be used to fund the fuel efficiency credits granted under this section. All remaining funds shall be used solely for transit purposes.

(f) A motor vehicle dealer shall prominently display on a vehicle offered for sale a notice on a form prescribed by the Administration to inform consumers of the fuel efficiency surcharge and fuel efficiency credit program. The notice shall state the provisions of this section applicable to the vehicle and shall be in substantially the following form:

“For this vehicle, the fuel economy rating is \_\_\_\_\_. The fuel efficiency surcharge is \_\_\_\_\_ or the fuel efficiency credit is \_\_\_\_\_.

A fuel efficiency surcharge or fuel efficiency credit is required to be applied to purchases of certain passenger cars based on the fuel economy rating of the motor vehicle. The fuel economy rating is determined by a weighted average of the urban and the highway mileage ratings as determined by the Environmental Protection Agency and published in the Environmental Protection Agency’s Gas Mileage Guide.

A fuel efficiency surcharge shall be applied to all passenger cars with a fuel economy rating of less than \_\_\_\_\_ miles per gallon. The surcharge is \_\_\_\_\_ (as provided in § 13–818 of the Transportation Article).

A fuel efficiency credit shall be applied to all passenger cars with a fuel economy rating of more than \_\_\_\_\_ miles per gallon. The credit is \_\_\_\_\_ (as provided in § 13–818 of the Transportation Article).

The credit or surcharge on any vehicle may not be greater than an amount equal to 1% of the total purchase price of the vehicle.”

(g) The Administration may adopt regulations to implement and operate the fuel efficiency surcharge and credit program under this section.

(h) Revenue generated under this section is not subject to the distribution provisions of Title 8, Subtitle 4 of this article.

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