SENATE BILL 196

Q5, R6 SB 664/15 – B&T

By: Senators Ready, Bates, Cassilly, Eckardt, Edwards, Hershey, Jennings, Norman, Salling, Serafini, and Waugh

Introduced and read first time: January 20, 2016 Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 Vehicle-Miles-Traveled Tax and Associated Mandated Devices - Prohibition

- FOR the purpose of prohibiting the State or a local jurisdiction from imposing or levying a vehicle-miles-traveled tax or certain other similar fees, tolls, or taxes; prohibiting the State or a local jurisdiction from requiring the installation of a device in or on a privately owned vehicle to facilitate the reporting of vehicle-miles traveled; providing for the application of certain provisions of this Act; and generally relating to a prohibition against a vehicle-miles-traveled tax and associated mandated devices.
- 10 BY repealing and reenacting, without amendments,
- 11 Article Tax General
- 12 Section 9–205
- 13 Annotated Code of Maryland
- 14 (2010 Replacement Volume and 2015 Supplement)
- 15 BY adding to
- 16 Article Tax General
- 17 Section 9–401 to be under the new subtitle "Subtitle 4. Vehicle–Miles–Traveled Tax 18 – Prohibited"
- 19 Annotated Code of Maryland
- 20 (2010 Replacement Volume and 2015 Supplement)
- 21 BY adding to
- 22 Article Transportation
- 23 Section 22–107
- 24 Annotated Code of Maryland
- 25 (2012 Replacement Volume and 2015 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.



6lr0668

	2	SENATE BILL 196
$egin{array}{c} 1 \ 2 \end{array}$	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:	
3		Article – Tax – General
4	9–205.	
$5 \\ 6$	(a) (1) The Comptroller may enter into reciprocal agreements on behalf of this State, with the duly authorized representatives of any other state, that provide for:	
7		(i) fuel tax registration of vehicles by motor carriers;
8 9	payment requirem	(ii) establishment of periodic fuel use reporting and fuel use tax ents by motor carriers; and
$\begin{array}{c} 10\\11 \end{array}$	(iii) disbursement of money that is collected by the Comptroller and is due to other states based on:	
12		1. mileage travelled and fuel used in those states; and
13		2. the respective registration fees of those states.
$\begin{array}{c} 14 \\ 15 \end{array}$	(2) would affect:	The Comptroller may not enter into any reciprocal agreement that
16		(i) this State's motor carrier tax rate; or
17		(ii) this State's registration fee for motor carriers.
18 19	(b) In exercising the authority granted under subsection (a) of this section, the Comptroller is expressly authorized to:	
20	(1)	enter into regional or national fuel use tax agreements;
$\begin{array}{c} 21 \\ 22 \end{array}$	(2) become a member of any regional or national conference, group, compact, or similar organization of motor carrier fuel use tax administrators; and	
$\begin{array}{c} 23\\ 24 \end{array}$	(3) agreements.	enforce the provisions set forth in any regional or national fuel use tax
$25 \\ 26 \\ 27$	(c) The agreement provisions shall apply to the fuel use taxation, registration, and reporting requirements of motor carriers subject to the provisions of the agreement without reference to or application of any other statutes of this State.	
28	SUBTITLE 4. VEHICLE-MILES-TRAVELED TAX - PROHIBITED.	
29	9–401.	

SENATE BILL 196

1 (A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE STATE OR A LOCAL 2 JURISDICTION MAY NOT DIRECTLY OR INDIRECTLY, INCLUDING THROUGH A 3 THIRD-PARTY AGREEMENT OR AS PART OF A PILOT PROGRAM OR STUDY, IMPOSE OR 4 LEVY:

5 (1) A VEHICLE-MILES-TRAVELED TAX;
6 (2) A MILEAGE-BASED USER FEE;
7 (3) A TOLL BASED ON GLOBAL-POSITIONING-SATELLITE TRACKING;
8 OR
9 (4) ANY OTHER SIMILAR FORM OF TAX.
10 (B) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT THE

10 (B) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT THE 11 COMPTROLLER FROM ENTERING INTO AND THE STATE FROM ENFORCING AN 12 AGREEMENT IN ACCORDANCE WITH § 9–205 OF THIS TITLE.

- 13 Article Transportation
- 14 **22–107.**

15 THE STATE OR A LOCAL JURISDICTION MAY NOT REQUIRE THE INSTALLATION 16 OF A DEVICE IN OR ON A PRIVATELY OWNED VEHICLE TO FACILITATE THE 17 REPORTING OF THE NUMBER OF VEHICLE–MILES TRAVELED.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 19 October 1, 2016.