

SENATE BILL 606

Q5, M1

(8lr2092)

ENROLLED BILL

— Budget and Taxation/Environment and Transportation and Ways and Means —

Introduced by **Senators Edwards and Serafini**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Off-Highway Recreational Vehicles – Excise Titling Tax – Off-Highway**
3 **Recreational Vehicle Trail Fund**

4 FOR the purpose of establishing the Off-Highway Recreational Vehicle Trail Fund as a
5 special, nonlapsing fund; specifying the purpose of the Fund; requiring the Secretary
6 of Natural Resources to administer the Fund; requiring the State Treasurer to hold
7 the Fund and the Comptroller to account for the Fund; specifying the contents of the
8 Fund; specifying the purpose for which the Fund may be used; providing for the
9 investment of money in and expenditures from the Fund; requiring the Comptroller
10 to ~~transfer a~~ distribute certain ~~percentage~~ percentages of the revenue from the excise
11 tax imposed for certain certificates of title issued for certain off-highway recreational
12 vehicles to the Off-Highway Recreational Vehicle Trail Fund *in certain fiscal years*;
13 defining a certain term; making a stylistic change; and generally relating to revenue
14 from the excise tax imposed on certificates of title issued for off-highway recreational
15 vehicles.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 BY adding to
2 Article – Natural Resources
3 Section 5–1011
4 Annotated Code of Maryland
5 (2012 Replacement Volume and 2017 Supplement)

6 BY repealing and reenacting, without amendments,
7 Article – Transportation
8 Section 3–216(f)(2)
9 Annotated Code of Maryland
10 (2015 Replacement Volume and 2017 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Transportation
13 Section 13–814
14 Annotated Code of Maryland
15 (2012 Replacement Volume and 2017 Supplement)

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

18 **Article – Natural Resources**

19 **5–1011.**

20 (A) IN THIS SECTION, “FUND” MEANS THE OFF–HIGHWAY RECREATIONAL
21 VEHICLE TRAIL FUND.

22 (B) THERE IS AN OFF–HIGHWAY RECREATIONAL VEHICLE TRAIL FUND.

23 (C) THE PURPOSE OF THE FUND IS TO MAINTAIN AND CONSTRUCT TRAILS
24 FOR OFF–HIGHWAY RECREATIONAL VEHICLES.

25 (D) THE SECRETARY SHALL ADMINISTER THE FUND.

26 (E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
27 SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

28 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,
29 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

30 (F) THE FUND CONSISTS OF:

31 (1) REVENUE DISTRIBUTED TO THE FUND UNDER § 13–814(B) OF THE
32 TRANSPORTATION ARTICLE;

1 State, unless approved by the General Assembly through legislation passed by a
 2 three-fifths majority vote of the full standing committee assigned the legislation in each of
 3 the two Houses of the General Assembly and enacted into law. No part of the
 4 Transportation Trust Fund may be transferred or diverted to a special fund of the State
 5 pursuant to the provisions of § 7-209(e)(2) of the State Finance and Procurement Article,
 6 unless the requirements of this paragraph have been satisfied.

7 13-814.

8 (A) [Money] **EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION,**
 9 **MONEY** collected under this part shall be deposited in the State Treasury and accounted
 10 for on the records of the [State] Comptroller and transferred to the Transportation Trust
 11 Fund.

12 (B) ~~THE COMPTROLLER SHALL TRANSFER 0.5% 50% OF~~ **OF THE REVENUE**
 13 **FROM THE EXCISE TAX IMPOSED FOR EACH CERTIFICATE OF TITLE ISSUED FOR AN**
 14 **OFF-HIGHWAY RECREATIONAL VEHICLE UNDER § 13-809 OF THIS SUBTITLE, *THE***
 15 ***COMPTROLLER SHALL DISTRIBUTE* TO THE OFF-HIGHWAY RECREATIONAL**
 16 **VEHICLE TRAIL FUND ESTABLISHED UNDER § 5-1011 OF THE NATURAL**
 17 **RESOURCES ARTICLE:**

18 (1) 25% IN FISCAL YEAR 2019; AND

19 (2) 50% IN FISCAL YEAR 2020 AND EACH YEAR THEREAFTER.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
 21 1, 2018.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.