

HB0841/885967/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 841

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Sales and Use Tax – Short–Term Rental Vehicles and”; in line 3, strike “Rate Alteration and Sunset Repeal” and substitute “Sales Tax Sunset Extension, Agreements With Maryland Aviation Administration, and Study”; in line 4, strike “repealing” and substitute “extending”; strike beginning with “requiring” in line 6 down through “Act;” in line 10 and substitute “requiring the Maryland Aviation Administration to notify certain committees of the General Assembly of its intent to enter into a certain agreement with a peer–to–peer car sharing program; specifying the contents of the notice; providing the budget committees of the General Assembly a certain period of time to review and comment on the agreement; requiring the Department of Legislative Services to report to the General Assembly on or before a certain date; defining a certain term;”; strike beginning with “the” in line 10 down through “and” in line 11; and strike in their entirety lines 15 through 24, inclusive, and substitute:

“BY adding to

Article – Transportation

Section 5–413(e)

Annotated Code of Maryland

(2015 Replacement Volume and 2019 Supplement)”.

AMENDMENT NO. 2

On page 2, in lines 3 and 6, in each instance, strike the bracket; in line 4, strike “2” and substitute “3”; in the same line, strike “2020” and substitute “2021”; and after line 6, insert:

(Over)

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

Article – Transportation

5-413.

(E) (1) IN THIS SECTION, “PEER-TO-PEER CAR SHARING PROGRAM” HAS THE MEANING STATED IN § 19-520 OF THE INSURANCE ARTICLE.

(2) THE ADMINISTRATION SHALL NOTIFY THE BUDGET COMMITTEES OF THE GENERAL ASSEMBLY OF ITS INTENT TO ENTER INTO A CONCESSION, LICENSE, OR OTHER AGREEMENT WITH A PEER-TO-PEER CAR SHARING PROGRAM FOR COMMERCIAL ACTIVITY AT THE BALTIMORE-WASHINGTON INTERNATIONAL THURGOOD MARSHALL AIRPORT AT LEAST 45 DAYS BEFORE:

(I) SEEKING THE APPROVAL OF THE BOARD OF PUBLIC WORKS OF THE AGREEMENT; OR

(II) IF APPROVAL OF THE BOARD OF PUBLIC WORKS IS NOT REQUIRED, ENTERING INTO THE AGREEMENT.

(3) THE NOTICE REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL DESCRIBE:

(I) THE TERMS OF THE CONCESSION, LICENSE, OR OTHER AGREEMENT, INCLUDING BOTH ECONOMIC AND OPERATING TERMS AND CONDITIONS;

(II) THE POTENTIAL IMPACTS TO EXISTING TRANSPORTATION CONCESSIONAIRES OR LICENSEES AT THE AIRPORT, INCLUDING ANY ANTICIPATED REDUCTIONS IN CONCESSION FEES OR OTHER PAYMENTS MADE BY THE EXISTING OPERATORS TO THE ADMINISTRATION;

(III) WHETHER THE ADMINISTRATION MAY BE REQUIRED TO, OR INTENDS TO, MODIFY THE TERMS AND CONDITIONS OF EXISTING TRANSPORTATION CONCESSIONAIRES OR LICENSEES AT THE AIRPORT DUE TO MORE FAVORABLE TERMS BEING OFFERED TO THE PEER-TO-PEER CAR SHARING PROGRAM; AND

(IV) THE IMPACTS TO BONDS OR OTHER DEBT THAT REMAINS OUTSTANDING ON THE CONSOLIDATED RENTAL CAR FACILITY OR OTHER ASSETS OF THE ADMINISTRATION.

(4) THE BUDGET COMMITTEES OF THE GENERAL ASSEMBLY SHALL PROVIDE REVIEW AND COMMENT ON THE PROPOSED CONCESSION, LICENSE, OR OTHER AGREEMENT WITHIN 45 DAYS AFTER THE NOTICE REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION IS PROVIDED.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 31, 2020, the Department of Legislative Services shall report to the General Assembly, in accordance with § 2-1257 of the State Government Article, on:

(1) a comparison of excise titling taxes and other motor vehicle fees in the State relating to short-term vehicle rentals and peer-to-peer car sharing;

(2) a comparison of excise titling taxes and other motor vehicle fees relating to short-term vehicle rentals and peer-to-peer car sharing in other states;

(Over)

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(3) a comparison of taxation and other governmental fees in the State relating to short-term vehicle rental companies and peer-to-peer car sharing companies, including with regard to income tax and sales tax;

(4) a comparison of sales taxes imposed in other states on short-term vehicle rentals and on peer-to-peer car sharing;

(5) a comparison of taxation and other governmental fees relating to short-term vehicle rentals and peer-to-peer car sharing in other states; and

(6) any other information that the Department determines relevant to the identification and compilation of information that could assist the General Assembly in determining a fair and equitable State taxation on sales and charges made in connection with a shared motor vehicle used for peer-to-peer car sharing and made available on a peer-to-peer car sharing program.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2020.”.

On pages 2 through 6, strike in their entirety the lines beginning with line 7 on page 2 through line 4 on page 6, inclusive.