

BY: Committee on Ways and Means and Appropriations Committee

AMENDMENTS TO SENATE BILL NO. 200

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 4 down through “period” in line 10 and substitute “altering”; in line 12, after “Fund” insert “for a certain period”; strike beginning with “providing” in line 12 down through “Fund;” in line 14 and substitute “requiring the Motor Vehicle Administration to deposit certain security interest filing fees into the Transportation Trust Fund; requiring certain fees collected for certain personalized registration plates to be paid into the Transportation Trust Fund; altering the distribution of certain penalties for termination or lapse of the required security for a vehicle; repealing a certain distribution to the Transportation Trust Fund relating to a certain tax credit; providing that a certain distribution of sales and use tax revenues to the Transportation Trust Fund is not part of a certain tax that is pledged to the repayment of certain transportation bonds and is not part of a certain account in the Transportation Trust Fund;”; and strike beginning with “providing” in line 14 down through “Fund;” in line 23.

On page 2, strike beginning with “providing” in line 3 down through “Act;” in line 4 and substitute “providing that notwithstanding certain provisions of this Act, a certain distribution shall be made for certain fiscal years, subject to a certain exception; stating a certain intent of the General Assembly regarding certain transit fares; requiring the Department of Transportation to submit a certain report to certain committees of the General Assembly;”; after line 5, insert:

“BY repealing

Article - Transportation

Section 17-106(e)(2)

Annotated Code of Maryland

(1999 Replacement Volume and 2000 Supplement)”;

in line 13, strike “and (d), 4-313(c)”; in line 23, after “13-613” insert “(d)”; and after line 25, insert:

(Over)

“BY adding to

Article - Transportation

Section 17-106(e)(2)

Annotated Code of Maryland

(1999 Replacement Volume and 2000 Supplement)”.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 26 on page 2 through line 4 on page 4, inclusive, and substitute:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 17-106(e)(2) of Article - Transportation of the Annotated Code of Maryland be repealed.

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

Article - Tax - General

2-1302.1.

(a) After making the distributions required under §§ 2-1301 and 2-1302 of this subtitle, the Comptroller monthly shall distribute 45% of the sales and use tax collected on short-term vehicle rentals under § 11-104(c) of this article to the Transportation Trust Fund established under § 3-216 of the Transportation Article.

(b) [On receipt of the Motor Vehicle Administration’s certification under § 13-815(f) of the Transportation Article, from the remaining sales and use tax revenue the Comptroller shall distribute to the Transportation Trust Fund an amount equal to the total amount of credits allowed against the motor vehicle excise tax under § 13-815 of the Transportation Article for the preceding fiscal year] FOR THE PERIOD FROM JANUARY 1, 2002 THROUGH JUNE 30, 2002 AND FOR FISCAL YEARS BEGINNING ON OR AFTER JULY 1, 2002 BUT BEFORE JULY 1, 2007, AFTER MAKING THE DISTRIBUTION UNDER SUBSECTION (A) OF THIS SECTION, THE COMPTROLLER SHALL DISTRIBUTE THE REMAINING SALES AND USE TAX COLLECTED ON SHORT-TERM VEHICLE RENTALS UNDER § 11-104(C) OF THIS ARTICLE TO THE TRANSPORTATION TRUST FUND ESTABLISHED UNDER § 3-216 OF

THE TRANSPORTATION ARTICLE.”.

AMENDMENT NO. 3

On page 4, in line 7, strike the brackets; in the same line, strike beginning with “EXCEPT” through “THE”; in line 17, strike “§ 2-1302.1” and substitute “§ 2-1302.1(A)”; and strike in their entirety lines 19 through 34, inclusive.

On page 5, after line 9, insert:

“(5) 80 percent of the funds distributed ON SHORT-TERM VEHICLE RENTALS under [§ 2-1302.1] § 2-1302.1(A) of the Tax - General Article to the Transportation Trust Fund from the sales and use tax.”;

and strike in their entirety lines 14 through 20, inclusive.

AMENDMENT NO. 4

On pages 5 and 6, strike in their entirety the lines beginning with line 26 on page 5 through line 15 on page 6, inclusive, and substitute:

“13-208.

(a) (1) [The Administration shall deposit \$14 of] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, OF each filing fee received under this subtitle, THE ADMINISTRATION SHALL DEPOSIT \$9 IN THE TRANSPORTATION TRUST FUND AND \$5 in the General Fund.

(2) FOR THE FISCAL YEAR BEGINNING JULY 1, 2001, OF EACH FILING FEE RECEIVED UNDER THIS SUBTITLE, THE ADMINISTRATION SHALL DEPOSIT \$14 IN THE GENERAL FUND.

(b) For each fiscal year, the Comptroller shall distribute to Baltimore City an amount equal to \$5 [for] OF THE GENERAL FUND PORTION OF each filing fee received under this subtitle.

(Over)

13-613.”.

On page 6, in line 24, strike “of the Code”; strike beginning with “paid” in line 25 down through “ARTICLE” in line 27 and substitute “DISTRIBUTED:”

(I) TO THE GENERAL FUND OF THE STATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2001; AND

(II) TO THE TRANSPORTATION TRUST FUND FOR EACH FISCAL YEAR BEGINNING ON OR AFTER JULY 1, 2002”;

and strike in their entirety lines 28 through 33, inclusive.

AMENDMENT NO. 5

On page 6, after line 33, insert:

“17-106.

(e) (2) (I) A PENALTY ASSESSED UNDER THIS SUBSECTION SHALL BE PAID AS FOLLOWS:

1. 70% TO BE ALLOCATED AS PROVIDED IN SUBPARAGRAPHS (II) THROUGH (VII) OF THIS PARAGRAPH; AND

2. 30% TO THE ADMINISTRATION, WHICH MAY BE USED BY THE ADMINISTRATION, SUBJECT TO SUBSECTION (F) OF THIS SECTION, TO PROVIDE FUNDING FOR CONTRACTS WITH INDEPENDENT AGENTS TO ASSIST IN THE RECOVERY OF EVIDENCES OF REGISTRATION AS AUTHORIZED IN SUBSECTION (D)(3) OF THIS SECTION.

(II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2001, THE PERCENTAGE OF THE PENALTIES SPECIFIED UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH SHALL BE ALLOCATED AMONG THE MOTOR VEHICLE REGISTRATION

ENFORCEMENT FUND, THE SCHOOL BUS SAFETY ENFORCEMENT FUND, THE TRANSPORTATION TRUST FUND, AND THE GENERAL FUND AS FOLLOWS:

1. \$400,000 TO THE MOTOR VEHICLE REGISTRATION ENFORCEMENT FUND;

2. \$600,000 TO THE SCHOOL BUS SAFETY ENFORCEMENT FUND;

3. \$11,600,000 TO THE TRANSPORTATION TRUST FUND;
AND

4. THE BALANCE TO THE GENERAL FUND.

(III) FOR THE FISCAL YEAR BEGINNING JULY 1, 2002, THE PERCENTAGE OF THE PENALTIES SPECIFIED UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH SHALL BE ALLOCATED AMONG THE MOTOR VEHICLE REGISTRATION ENFORCEMENT FUND, THE SCHOOL BUS SAFETY ENFORCEMENT FUND, AND THE TRANSPORTATION TRUST FUND AS FOLLOWS:

1. \$400,000 TO THE MOTOR VEHICLE REGISTRATION ENFORCEMENT FUND;

2. \$600,000 TO THE SCHOOL BUS SAFETY ENFORCEMENT FUND; AND

3. THE BALANCE TO THE TRANSPORTATION TRUST FUND.

(IV) FOR EACH FISCAL YEAR BEGINNING JULY 1, 2003 OR JULY 1, 2004, THE PERCENTAGE OF THE PENALTIES SPECIFIED UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH SHALL BE ALLOCATED BETWEEN THE SCHOOL BUS SAFETY ENFORCEMENT FUND AND THE TRANSPORTATION TRUST FUND AS FOLLOWS:

(Over)

1. \$600,000 TO THE SCHOOL BUS SAFETY ENFORCEMENT FUND; AND
2. THE BALANCE TO THE TRANSPORTATION TRUST FUND.

(V) FOR EACH FISCAL YEAR BEGINNING JULY 1, 2005 OR JULY 1, 2006, THE PERCENTAGE OF THE PENALTIES SPECIFIED UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH SHALL BE DISTRIBUTED TO THE TRANSPORTATION TRUST FUND.

(VI) FOR THE FISCAL YEAR BEGINNING JULY 1, 2007, THE PERCENTAGE OF THE PENALTIES SPECIFIED UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH SHALL BE ALLOCATED BETWEEN THE MARYLAND AUTOMOBILE INSURANCE FUND AND THE GENERAL FUND AS FOLLOWS:

1. \$4,400,000 TO THE MARYLAND AUTOMOBILE INSURANCE FUND; AND
2. THE BALANCE TO THE GENERAL FUND.

(VII) FOR THE FISCAL YEAR BEGINNING ON OR AFTER JULY 1, 2008, THE PERCENTAGE OF THE PENALTIES SPECIFIED UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH SHALL BE ALLOCATED BETWEEN THE MARYLAND AUTOMOBILE INSURANCE FUND AND THE GENERAL FUND AS FOLLOWS:

1. THE AMOUNT DISTRIBUTED TO THE MARYLAND AUTOMOBILE INSURANCE FUND IN THE PRIOR FISCAL YEAR UNDER THE PROVISIONS OF THIS PARAGRAPH ADJUSTED BY THE CHANGE FOR THE CALENDAR YEAR PRECEDING THE FISCAL YEAR IN THE CONSUMER PRICE INDEX - ALL URBAN CONSUMERS - MEDICAL CARE AS PUBLISHED BY THE UNITED STATES BUREAU OF LABOR STATISTICS TO THE MARYLAND AUTOMOBILE INSURANCE FUND; AND
2. THE BALANCE TO THE GENERAL FUND.”.

AMENDMENT NO. 6

On page 7, in lines 9 and 11, in each instance, strike “30” and substitute “36”.

On page 8, in lines 14 and 17, in each instance, strike “30” and substitute “36”.

AMENDMENT NO. 7

On page 8, in line 28, after “Act.” insert “Notwithstanding the provisions of Section 2 of this Act, except as otherwise provided in this section, the distribution formerly required under § 2-1302.1(b) of the Tax -General Article shall be made for each fiscal year until any Consolidated Transportation Bonds that were issued by the Department of Transportation before July 1, 2001 no longer remain outstanding and unpaid; provided, however, that in any fiscal year for which funds are appropriated by the General Assembly to pay the principal of and interest on the Department of Transportation’s Consolidated Transportation Bonds due and payable in that fiscal year, the distribution formerly required under § 2-1302.1(b) of the Tax - General Article may not be made.”.

AMENDMENT NO. 8

On page 8, after line 28, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Transportation shall reduce statewide transit fares for weekly and monthly passes and advertise these fare reductions so that low wage workers are aware of the reduced fares. To assist the General Assembly in evaluating the effect of the fare reduction, the Department shall submit a report, in accordance with § 2-1246 of the State Government Article, to the Senate Budget and Taxation Committee, the House Appropriations Committee, and the House Committee on Ways and Means that measures the effect and impact of the reduction of statewide transit fares of weekly and monthly passes on ridership in fiscal 2002 and examines the effect and impact of the transit fare reduction on low wage workers. The report is due on or before October 1, 2002. In addition, it is the intent of the General Assembly that the Department keep all other transit fares at their current levels through fiscal 2006.”;

and in line 29, strike “5.” and substitute “6.”.

AMENDMENT NO. 9

On page 8, in line 30, strike "January 1, 2002" and substitute "July 1, 2001".