

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL NO. 200

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Distribution” insert “and Use”; strike beginning with “requiring” in line 3 down through “Fund;” in line 4 and substitute “requiring that the Maryland Department of Transportation reimburse, with interest, the Transportation Authority Fund and enter into a written repayment schedule with the Maryland Transportation Authority when certain transfers are made from the Transportation Authority Fund to the Transportation Trust Fund; limiting the use of certain transfers from the Transportation Authority Fund to the Transportation Trust Fund to capital projects;”; in line 8, after “reference;” insert “providing that a certain amount of certain revenues from the sales and use tax imposed on short-term vehicle rentals are not pledged and may not be pledged to the payment of the principal of and interest on consolidated transportation bonds; repealing a provision requiring the Comptroller to distribute a certain amount of a certain credit against the motor vehicle excise tax to the Transportation Trust Fund; requiring the Motor Vehicle Administration to distribute a certain amount of a certain security interest filing fee to the Transportation Trust Fund; requiring that certain proceeds collected from certain additional fees charged for certain special registrations be paid directly to the Transportation Trust Fund;”; in line 13, after “period;” insert “providing that certain additional revenues are intended to include amounts sufficient to compensate the Transportation Trust Fund for certain reductions in revenues resulting from a certain credit;”; in line 4, after “altering” insert “for a certain period”; strike beginning with the third “for” in line 13 down through “provisions” in line 14; in line 18, strike “2-616 and”; and in line 23, after “Section” insert “3-215(b) and (d), 4-313(c),”; after line 30, insert:

“BY repealing and reenacting, with amendments,

Article - Transportation

Section 13-208 and 13-613

Annotated Code of Maryland

(1999 Replacement Volume and 2000 Supplement)”.

(Over)

AMENDMENT NO. 2

On page 2, strike in their entirety lines 3 through 11, inclusive, and substitute:

“Article - Transportation

4-313.

(c) (1) Any amount set aside in the Transportation Authority Fund that is not needed to provide for the payment of the items specified in subsections (a)(2) and (b) of this section may be transferred, upon the recommendation of the Secretary and after the approval of the Board of Public Works, to the Transportation Trust Fund to be used ON CAPITAL PROJECTS as appropriated by the General Assembly unless prohibited by any applicable resolution or trust agreement.

(2) The use and disposition of money to the credit of the Transportation Authority Fund is subject to the provision of the applicable bond authorizing resolution or trust agreement.

(3) FOR AN AMOUNT TRANSFERRED FROM THE TRANSPORTATION AUTHORITY FUND TO THE TRANSPORTATION TRUST FUND UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR THE PURPOSE OF FUNDING A MASS TRANSIT CAPITAL PROJECT, THE DEPARTMENT SHALL REIMBURSE, WITH INTEREST, THE TRANSPORTATION AUTHORITY FUND AND ENTER INTO A WRITTEN REPAYMENT SCHEDULE WITH THE AUTHORITY.”.

AMENDMENT NO. 3

On page 2, after line 11, insert:

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

Article - Tax - General”;

in line 13, strike “After” and substitute “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”; strike beginning with “IN” in line 16 down through “Fund” in line 17; strike beginning with “THE” in line 23 down through “year” in line 27 and

substitute “FOR FISCAL YEARS BEGINNING ON OR AFTER JULY 1, 2007, 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”; and after line 28 insert:

“3-215.

(b) [The] EXCEPT AS PROVIDED IN SUBSECTION (D)(2) OF THIS SECTION, THE tax levied and imposed by this section consists of that part of the following taxes that are retained to the credit of the Department after distributions to the political subdivisions:

(1) The motor fuel tax revenue distributed under §§ 2-1103(2) and 2-1104(4) of the Tax - General Article;

(2) The income tax revenue distributed under §§ 2-614 and 2-616 of the Tax - General Article;

(3) The excise tax imposed on vehicles by Part II of Title 13, Subtitle 8 of this article; and

(4) The sales and use tax revenues distributed under § 2-1302.1 of the Tax - General Article.

(d) (1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE tax levied and imposed by this section is irrevocably pledged to the payment of the principal of and interest on consolidated transportation bonds as they become due and payable, and no part of the tax or other funds applicable to debt service on the bonds may be repealed, diminished, or applied to any other purpose until:

[(1)] (I) The bonds and the interest on them have become due and fully paid; or

(Over)

[(2)] (II) Adequate and complete provision for payment of the principal and interest has been made.

(2) 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, 86% OF THE REVENUES DISTRIBUTED TO THE TRANSPORTATION TRUST FUND UNDER § 2-1302.1(A)(2) OF THE TAX - GENERAL ARTICLE ARE NOT PLEDGED AND MAY NOT BE PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON CONSOLIDATED TRANSPORTATION BONDS.”.

On page 3, in line 6, strike “2-616(1)” and substitute “2-616”; strike in their entirety lines 7 through 10, inclusive, and substitute:

“(5) (I) 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, THE REVENUE DISBURSED TO THIS ACCOUNT UNDER § 2-1302.1(A)(1) OF THE TAX - GENERAL ARTICLE; AND

(II) FOR FISCAL YEARS BEGINNING ON OR AFTER JULY 1, 2007, 80% OF THE FUNDS DISTRIBUTED TO THE TRANSPORTATION TRUST FUND FROM THE SALES AND USE TAX UNDER § 2-1302.1(B) OF THE TAX - GENERAL ARTICLE”.

On page 3, after line 15, insert:

“13-208.

(a) The Administration shall deposit \$14 of each filing fee received under this subtitle in the [General Fund] TRANSPORTATION TRUST FUND ESTABLISHED UNDER § 3-216 OF THIS ARTICLE.

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

13-613.

(a) (1) The owner of any vehicle described in paragraph (2) of this subsection may apply to the Administration for the assignment to that vehicle of a special, personalized registration number.

(2) This section applies only as to:

(i) A Class A (passenger) vehicle;

(ii) A Class D (motorcycle) vehicle;

(iii) A Class E (truck) vehicle with a one ton or less manufacturer's rated capacity;

(iv) A Class G (nonfreight trailer) vehicle;

(v) A Class L (historic) vehicle;

(vi) A Class M (multipurpose) vehicle; or

(vii) A Class N (street rod) vehicle.

(b) In addition to the annual registration fee otherwise required by this title, the applicant shall pay an additional annual fee of \$25, payable with the original and each renewal application for special registration under this section.

(c) (1) A special registration number assigned under this section may consist of any combination of not more than 7 letters and numerals.

(2) In its discretion, the Administration may refuse any combination of letters and numerals.

(d) Except as provided in subsection (e) of this section, of the proceeds collected annually from the additional fees charged under this section:

(Over)

(1) The first \$180,000 shall be paid into a special fund administered by the Maryland Higher Education Commission for use in the medical, dental, legal, nursing, social work, and pharmaceutical scholarship programs provided by this State;

(2) The next \$200,000 shall be used solely for the purposes of the scholarship program authorized by §§ 18-1101 through 18-1105 of the Education Article of the Code; and

(3) Except as otherwise provided by law, any balance shall be paid directly into the [general funds of this State] TRANSPORTATION TRUST FUND ESTABLISHED UNDER § 3-216 OF THIS ARTICLE.

(e) (1) The Administration shall keep \$12.50 of the fee payable with the original application for special registration under this section to recover the administrative and production costs of the special registration.

(2) Funds kept by the Administration under this subsection may not be credited to the Gasoline and Motor Vehicle Revenue Account for distribution under § 8-403 or § 8-404 of this article.”.

AMENDMENT NO. 4

On page 3, in line 16, strike “2.” and substitute “3.”; and in lines 26 and 28, in each instance, strike “36” and substitute “30”.

On page 4, in lines 29 and 32, in each instance, strike “36” and substitute “30”; and strike in their entirety lines 33 through 36, inclusive, and substitute:

“SECTION 4. AND BE IT FURTHER ENACTED, That the additional revenues required to be distributed to the Transportation Trust Fund under this Act are intended to include amounts sufficient to compensate the Transportation Trust Fund for any reduction in revenues resulting from the credit allowed against the motor vehicle excise tax under § 13-815 of the Transportation Article, in lieu of the distribution formerly required under § 2-1302.1(b) of the Tax - General Article as it existed prior to the effective date of this Act.

SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 2002.".