

SENATE BILL 191

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R4
HB 1255/00 - W&M

2001 Regular Session
1r1417

By: **Senators Middleton, Miller, Lawlah, Hogan, Stoltzfus, and Munson**
Introduced and read first time: January 22, 2001
Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Homes and Travel Trailers - Vehicle Excise Tax - Definitions**

3 FOR the purpose of altering the definition of "fair market value" and "total purchase
4 price" for purposes of the vehicle excise tax imposed on a motor home or a travel
5 trailer to exclude from the computation of the tax, subject to a certain limitation,
6 the value of a motor home or travel trailer traded in as part of the consideration
7 for the sale of the motor home or travel trailer by a licensed dealer; authorizing
8 the Department of Business and Economic Development to develop and
9 implement, in cooperation with certain entities, a marketing and tourism plan
10 to promote the use of motor homes and travel trailers in the State; providing for
11 the application of this Act; providing for the termination of certain provisions of
12 this Act; and generally relating to motor homes and travel trailers.

13 BY repealing and reenacting, without amendments,
14 Article - Transportation
15 Section 11-134.3 and 11-170
16 Annotated Code of Maryland
17 (1999 Replacement Volume and 2000 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article - Transportation
20 Section 13-809(a)
21 Annotated Code of Maryland
22 (1999 Replacement Volume and 2000 Supplement)

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

25 **Article - Transportation**

26 11-134.3.

27 "Motor home" means a motor vehicle that is designed and constructed primarily
28 to provide living quarters for recreational, camping, or travel use.

1 11-170.

2 (a) "Travel trailer" means a vehicle that:

3 (1) Is mounted on wheels;

4 (2) Is of such a size and weight as not to require any special highway
5 movement permit when towed by a motor vehicle;

6 (3) Is designed and constructed primarily to provide temporary living
7 quarters for recreational, camping, or travel use; and

8 (4) Is no longer than 40 feet.

9 (b) "Travel trailer" includes a fifth wheel travel trailer.

10 13-809.

11 (a) (1) In this section the following words have the meanings indicated.

12 (2) "Fair market value" means:

13 (i) [As] EXCEPT AS PROVIDED IN ITEM (IV) OF THIS PARAGRAPH,
14 AS to the sale of any new or used vehicle by a licensed dealer, the total purchase price,
15 as certified by the dealer;

16 (ii) As to a used vehicle that is sold by any person other than a
17 licensed dealer and that has a designated model year that is 7 years old or older, the
18 greater of:

19 1. The total purchase price; or

20 2. \$640;

21 (iii) As to any other used vehicle that is sold by any person other
22 than a licensed dealer:

23 1. The total purchase price, if the total purchase price is less
24 than \$500 below the retail value of the vehicle as shown in a national publication of
25 used car values adopted for use by the Department; or

26 2. If the total purchase price is \$500 or more below the retail
27 value of the vehicle as shown in a national publication of used car values adopted for
28 use by the Department:

29 A. The total purchase price, if verified to the satisfaction of
30 the Administration by a notarized bill of sale submitted in accordance with subsection
31 (d)(2) of this section; or

1 B. The valuation shown in the national publication of used
2 car values, if the Administration finds that the documentation submitted under
3 subsection (d)(2) of this section fails to verify the total purchase price; [and]

4 (iv) AS TO THE SALE OF ANY NEW OR USED MOTOR HOME OR
5 TRAVEL TRAILER BY A LICENSED DEALER, THE TOTAL PURCHASE PRICE, AS DEFINED
6 IN PARAGRAPH (4)(II) OF THIS SUBSECTION, AS CERTIFIED BY THE DEALER ON A
7 FORM ACCEPTABLE TO THE ADMINISTRATION; AND

8 (V) In any other case, the valuation shown in a national publication
9 of used car values adopted for use by the Department.

10 (3) "MOTOR HOME" HAS THE MEANING STATED IN § 11-134.3 OF THIS
11 ARTICLE.

12 [(3)] (4) "Total purchase price" means [the]:

13 (I) EXCEPT AS PROVIDED IN ITEM (II) OF THIS PARAGRAPH, THE
14 price of a vehicle agreed on by the buyer and the seller, with no allowance for trade-in
15 or other nonmonetary consideration; AND

16 (II) IN THE CASE OF A MOTOR HOME OR TRAVEL TRAILER, THE
17 PRICE OF THE MOTOR HOME OR TRAVEL TRAILER AGREED ON BY THE BUYER AND
18 THE SELLER LESS THE VALUE, NOT TO EXCEED THE VALUE SHOWN IN A NATIONAL
19 PUBLICATION OF USED MOTOR HOME AND TRAVEL TRAILER VALUES ADOPTED FOR
20 USE BY THE DEPARTMENT, OF ANY MOTOR HOME OR TRAVEL TRAILER THAT IS
21 TRADED IN AS PART OF THE CONSIDERATION OF THE SALE.

22 (5) "TRAVEL TRAILER" HAS THE MEANING STATED IN § 11-170 OF THIS
23 ARTICLE.

24 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of
25 Business and Economic Development, in cooperation with the Maryland Recreational
26 Vehicle Dealers Association and other interested trade associations and tourism
27 boards, may develop and implement a marketing and tourism plan to promote the use
28 of motor homes and travel trailers in Maryland.

29 SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act
30 applies only to a motor home or travel trailer with respect to which liability for the
31 motor vehicle excise tax was incurred on or after July 1, 2001.

32 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 July 1, 2001. Section 1 of this Act shall remain effective for a period of 3 years and, at
34 the end of June 30, 2004, with no further action required by the General Assembly,
35 Section 1 of this Act shall be abrogated and of no further force and effect.