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By: **Delegates Kelly, Owings, Edwards, McKee, Mitchell, Myers, O'Donnell,  
and Shank**

Introduced and read first time: January 22, 2003

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicle Excise Tax - Exemptions - Manufacturers' Rebates**

3 FOR the purpose of altering the definition of "total purchase price" to exclude certain  
4 manufacturers' rebates for purposes of imposing the motor vehicle excise tax;  
5 providing for the effective date of certain provisions of this Act; providing for the  
6 termination of certain provisions of this Act; and generally relating to the  
7 imposition of the motor vehicle excise tax on certain manufacturers' rebates.

8 BY repealing and reenacting, with amendments,  
9 Article - Transportation  
10 Section 13-809(a)(4)  
11 Annotated Code of Maryland  
12 (2002 Replacement Volume)

13 BY repealing and reenacting, with amendments,  
14 Article - Transportation  
15 Section 13-809(a)(3)  
16 Annotated Code of Maryland  
17 (2002 Replacement Volume)  
18 (As enacted by Chapters 361 and 362 of the Acts of the General Assembly of  
19 2001)

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

22 **Article - Transportation**

23 13-809.

24 (a) (4) (I) "Total purchase price" means[:

1 (i) Except], EXCEPT as provided in [item (ii)] ITEMS (II) AND (III) of  
2 this paragraph, the price of a vehicle agreed on by the buyer and the seller, with no  
3 allowance for trade-in or other nonmonetary consideration[; and].

4 (ii) In the case of a motor home or travel trailer, "TOTAL PURCHASE  
5 PRICE" MEANS the price of the motor home or travel trailer agreed on by the buyer  
6 and the seller less the value, not to exceed the value shown in a national publication  
7 of used motor home and travel trailer values adopted for use by the Department, of  
8 any motor home or travel trailer that is traded in as part of the consideration of the  
9 sale.

10 (III) "TOTAL PURCHASE PRICE" DOES NOT INCLUDE A REBATE  
11 PROVIDED BY THE MANUFACTURER, WHETHER PAID TO THE PURCHASER OR TO THE  
12 DEALER.

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

15 **Article - Transportation**

16 13-809.

17 (a) (3) (I) "Total purchase price" means the price of a vehicle agreed on by  
18 the buyer and the seller, with no allowance for trade-in or other nonmonetary  
19 consideration.

20 (II) "TOTAL PURCHASE PRICE" DOES NOT INCLUDE A REBATE  
21 PROVIDED BY THE MANUFACTURER, WHETHER PAID TO THE PURCHASER OR TO THE  
22 DEALER.

23 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall  
24 take effect on the taking effect of the termination provision specified in Section 5 of  
25 Chapters 361 and 362 of the Acts of the General Assembly of 2001. If that termination  
26 provision takes effect, Section 1 of this Act shall be abrogated and of no further force  
27 and effect. This Act may not be interpreted to have any effect on that termination  
28 provision.

29 SECTION 4. AND BE IT FURTHER ENACTED, That, subject to the provisions  
30 of Section 3 of this Act, this Act shall take effect July 1, 2003.