

# HOUSE BILL 929

Q5

71r2258

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By: **Delegates Costa and Kipke**

Introduced and read first time: February 9, 2007

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Motor Homes and Travel Trailers – Vehicle Excise Tax – Definitions – Repeal**  
3 **of Sunset**

4 FOR the purpose of repealing the termination of certain provisions that alter the  
5 definitions of “fair market value” and “total purchase price” for purposes of the  
6 motor vehicle excise tax imposed on a motor home or a travel trailer to exclude  
7 from the computation of the tax, subject to a certain limitation, the value of a  
8 motor home or travel trailer traded in as part of the consideration for the sale;  
9 repealing the termination of certain provisions that provide that certain  
10 definitions do not apply to the calculation of the vehicle excise tax imposed on a  
11 motor home or a travel trailer until certain bonds are no longer outstanding and  
12 unpaid; and generally relating to the motor vehicle excise tax.

13 BY repealing and reenacting, without amendments,  
14 Article – Transportation  
15 Section 13–809(a)  
16 Annotated Code of Maryland  
17 (2006 Replacement Volume and 2006 Supplement)

18 BY repealing and reenacting, without amendments,  
19 Chapter 361 of the Acts of the General Assembly of 2001  
20 Section 3

21 BY repealing and reenacting, with amendments,  
22 Chapter 361 of the Acts of the General Assembly of 2001, as amended by  
23 Chapter 545 of the Acts of the General Assembly of 2004

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



## 1       Section 5

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

4                               **Article – Transportation**

5 13–809.

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

7               (2)   “Fair market value” means:

8                       (i)   Except as provided in item (v) of this paragraph, as to the  
9 sale of any new or used vehicle by a licensed dealer, the total purchase price, as  
10 certified by the dealer;

11                      (ii)   Except as provided in item (iv) of this paragraph, as to a  
12 used vehicle that is sold by any person other than a licensed dealer and that has a  
13 designated model year that is 7 years old or older, the greater of:

14                               1.   The total purchase price; or

15                               2.   \$640;

16                      (iii)   Except as provided in item (iv) of this paragraph, as to any  
17 other used vehicle that is sold by any person other than a licensed dealer:

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

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

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

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

1 (iv) As to a used trailer that is sold by any person other than a  
2 licensed dealer, the greater of:

3 1. The total purchase price; or

4 2. \$320;

5 (v) As to the sale of any new or used motor home or travel  
6 trailer by a licensed dealer, or a dealer licensed by another state or a foreign country,  
7 the total purchase price, as defined in paragraph (4)(ii) of this subsection, as certified  
8 by the dealer on a form acceptable to the Administration; and

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

11 (3) “Motor home” has the meaning stated in § 11–134.3 of this article.

12 (4) “Total purchase price” means:

13 (i) Except as provided in item (ii) of this paragraph, the price of  
14 a vehicle agreed on by the buyer and the seller, including any dealer processing  
15 charge, with no allowance for trade-in or other nonmonetary consideration; and

16 (ii) In the case of a motor home or travel trailer, the price of the  
17 motor home or travel trailer agreed on by the buyer and the seller less the value, not  
18 to exceed the value shown in a national publication of used motor home and travel  
19 trailer values adopted for use by the Department, of any motor home or travel trailer  
20 that is traded in as part of the consideration of the sale.

21 (5) “Trailer” has the meaning stated in § 11–169 of this article.

22 (6) “Travel trailer” has the meaning stated in § 11–170 of this article.

### 23 Chapter 361 of the Acts of 2001

24 SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding the  
25 provisions of Section 1 of this Act, the modified definitions of “fair market value” and  
26 “total purchase price” for the purposes of the calculation of the motor vehicle excise tax  
27 imposed on a motor home or a travel trailer under § 13–809(a) of the Transportation  
28 Article as enacted under Section 1 of this Act do not apply until any Consolidated  
29 Transportation Bonds that were issued by the Department of Transportation before  
30 July 1, 2001 no longer remain outstanding and unpaid; provided however, that in any

1 fiscal year for which funds are appropriated by the General Assembly to pay the  
2 principal of and interest on the Department of Transportation's Consolidated  
3 Transportation Bonds due and payable in that fiscal year, the Motor Vehicle  
4 Administration shall collect the reduced motor vehicle excise tax imposed on a motor  
5 home or travel trailer by utilizing the modified definitions as enacted under Section 1  
6 of this Act.

7 **Chapter 361 of the Acts of 2001, as amended by Chapter 545 of the Acts of**  
8 **2004**

9 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 July 1, 2001. [Sections 1 and 3 of this Act shall remain effective for a period of 6 years  
11 and, at the end of June 30, 2007, with no further action required by the General  
12 Assembly, Sections 1 and 3 of this Act shall be abrogated and of no further force and  
13 effect.]

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 June 1, 2007.