

SENATE BILL 279

R4

71r2159

By: **Senator Middleton**

Introduced and read first time: January 31, 2007

Assigned to: Budget and Taxation

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 vehicle excise tax imposed on a motor home or a travel trailer to exclude from
7 the computation of the tax, subject to a certain limitation, the value of a motor
8 home or travel trailer traded as part of the consideration for the sale; repealing
9 the termination of certain provisions that provide that certain definitions do not
10 apply to the calculation of the vehicle excise tax imposed on a motor home or a
11 travel trailer until certain bonds are no longer outstanding and unpaid; and
12 generally relating to travel trailers and motor homes.

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, as amended by
20 Chapter 545 of the Acts of the General Assembly of 2004
21 Section 3

22 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Chapter 361 of the Acts of the General Assembly of 2001, as amended by
2 Chapter 545 of the Acts of the General Assembly of 2004
3 Section 5

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

6 **Article – Transportation**

7 13–809.

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

9 (2) “Fair market value” means:

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

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

16 1. The total purchase price; or

17 2. \$640;

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

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

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

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

1 B. The valuation shown in the national publication of
2 used 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;

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

6 1. The total purchase price; or

7 2. \$320;

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

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

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

15 (4) “Total purchase price” means:

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

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

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

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

26 **Chapter 361 of the Acts of 2001, as amended by Chapter 545 of the**
27 **Acts of 2004**

28 SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding the
29 provisions of Section 1 of this Act, the modified definitions of “fair market value” and
30 “total purchase price” for the purposes of the calculation of the motor vehicle excise tax

1 imposed on a motor home or a travel trailer under § 13-809(a) of the Transportation
2 Article as enacted under Section 1 of this Act do not apply until any Consolidated
3 Transportation Bonds that were issued by the Department of Transportation before
4 July 1, 2001 no longer remain outstanding and unpaid; provided however, that in any
5 fiscal year for which funds are appropriated by the General Assembly to pay the
6 principal of and interest on the Department of Transportation's Consolidated
7 Transportation Bonds due and payable in that fiscal year, the Motor Vehicle
8 Administration shall collect the reduced motor vehicle excise tax imposed on a motor
9 home or travel trailer by utilizing the modified definitions as enacted under Section 1
10 of this Act.

11 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 July 1, 2001. [Sections 1 and 3 of this Act shall remain effective for a period of 3 years
13 and, at the end of June 30, 2004, with no further action required by the General
14 Assembly, Sections 1 and 3 of this Act shall be abrogated and of no further force and
15 effect.]

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