

SENATE BILL 300

R4

8lr0077

By: **Chair, Budget and Taxation Committee (By Request – Departmental – Transportation) and Senators Currie, Brinkley, DeGrange, Edwards, Jones, Kasemeyer, King, Kramer, Madaleno, McFadden, Munson, Peters, Robey, Stoltzfus, and Zirkin**

Introduced and read first time: January 25, 2008

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 12, 2008

CHAPTER _____

1 AN ACT concerning

2 **Motor Vehicle Excise Tax – Exemption for Returning Military Members**

3 FOR the purpose of expanding the eligibility for a certain motor vehicle excise tax
4 credit to include a member of the military who returns to Maryland from, or on,
5 active duty and, within a certain time period, applies for titling and registration
6 of a vehicle previously titled and registered in another state; and generally
7 relating to the motor vehicle excise tax.

8 BY repealing and reenacting, with amendments,
9 Article – Transportation
10 Section 13–809(c)
11 Annotated Code of Maryland
12 (2006 Replacement Volume and 2007 Supplement)
13 (As enacted by Chapter 6 of the Acts of the General Assembly of the 2007
14 Special Session)

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

17 **Article – Transportation**

18 13–809.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (c) (1) Except as provided in subsection (b)(2) of this section, the tax
2 imposed by this section is 6 percent of the fair market value of the vehicle.

3 (2) If the vehicle formerly was a vehicle exempt from the tax imposed
4 by this section, the tax shall be reduced by any amount previously paid by the present
5 owner as a sales and use tax on the vehicle under Title 11 of the Tax – General Article.

6 (3) (i) 1. In this subparagraph, “military” includes the
7 Commissioned Corps of the Public Health Service, the National Oceanic and
8 Atmospheric Administration, or the Coast and Geodetic Survey.

9 2. If the vehicle was formerly titled and registered in
10 another state and the present owner has paid a sales or excise tax to that state at a
11 rate less than that imposed by this State, then the tax imposed shall apply but at a
12 rate measured by the difference only between the tax rate paid to the other state and
13 the tax rate imposed by this section, if the present owner:

14 A. Has not been a Maryland resident for more than 60
15 days; [or]

16 B. Is a member of the military on active duty and has not
17 been a Maryland resident for more than 1 year; **OR**

18 **C. IS A MARYLAND RESIDENT WHO IS A MEMBER OF**
19 **THE MILITARY RETURNING TO MARYLAND FROM, OR ON, ACTIVE DUTY AND**
20 **WHO APPLIES FOR TITLING AND REGISTRATION IN MARYLAND NO MORE THAN 1**
21 **YEAR AFTER RETURNING.**

22 (ii) If the vehicle was formerly titled and registered in another
23 state and the present owner requests to transfer the vehicle in accordance with §
24 13–810(c)(1) of this subtitle, the Administration shall change or correct the names
25 contained in the certificate of title:

26 1. At the time the excise tax that is credited or imposed
27 under this section is paid and a new title is issued; and

28 2. Without issuing multiple certificates of title or
29 charging additional fees.

30 (iii) Except as provided in subsection (b)(2) of this section, the
31 minimum tax imposed under this section shall be \$100.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 2008.