

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 93
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Biodiesel Fuel User License” and substitute “Special Fuel User – Biodiesel Fuel”; strike beginning with “providing” in line 6 down through “circumstances;” in line 8; in line 9, strike “certain terms” and substitute “a certain term”; in line 13, strike “, 9-301(d-1), and 9-322(h-1)”; and in line 18, strike “, 9-301(h), and 13-825(f)(8)” and substitute “and 9-301(h), (s), and (t)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 11 through 18, inclusive; in lines 19, 22, 23, and 24, strike “(1)”, “(II)”, “1.”, and “2.”, respectively; in lines 20, 22, 23, and 24, in each instance, strike the brackets; in line 21, strike “and” and substitute “**OR**”

(II) BUY, PRODUCE, ACQUIRE, RECEIVE, OR STORE BIODIESEL FUEL ON WHICH THE MOTOR FUEL TAX HAS NOT BEEN PAID; AND”;

and after line 24, insert:

“(s) (1) “Special fuel seller” means a person who engages in the business of a special fuel seller.

(2) “Special fuel seller” does not include:

(i) a retail service station dealer who pays the motor fuel tax on special fuel to the supplier of the special fuel; [or]

(ii) a marina that sells special fuel only to vessels; OR

(Over)

(III) A PERSON WHO PRODUCES, ACQUIRES, RECEIVES, OR STORES LESS THAN 4,000 GALLONS OF BIODIESEL FUEL DURING A CALENDAR YEAR.

(t) (1) “Special fuel user” means a person who engages in the business of a special fuel user.

(2) “Special fuel user” does not include:

(i) a person whose only storage for special fuel is the fuel supply tank of a motor vehicle;

(ii) a volunteer fire or nonprofit volunteer rescue company that is incorporated in the State and buys special fuel from a licensed special fuel seller to operate fire fighting vehicles or equipment; [or]

(iii) a person who pays the motor fuel tax on all special fuels to the supplier of the special fuels; OR

(IV) A PERSON WHO PRODUCES, ACQUIRES, RECEIVES, OR STORES LESS THAN 4,000 GALLONS OF BIODIESEL FUEL TO BE USED IN A MOTOR VEHICLE DURING A CALENDAR YEAR.”

AMENDMENT NO. 3

On pages 2 and 3, strike in their entirety the lines beginning with line 25 on page 2 through line 12 on page 3, inclusive.