

# SENATE BILL 714

Q5, R2

CONSTITUTIONAL AMENDMENT

11r0863

CF 11r2629

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By: **Senators Garagiola, Ferguson, Forehand, Kelley, King, Madaleno, Manno, McFadden, Middleton, Miller, Montgomery, Peters, Ramirez, and Robey**

Introduced and read first time: February 4, 2011

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Transportation Trust Fund – Financing – Use of Funds**

3 FOR the purpose of proposing an amendment to the Maryland Constitution to  
4 establish a Transportation Trust Fund to be used only for purposes relating to  
5 transportation except in certain circumstances; prohibiting the reversion or  
6 crediting of any part of the Transportation Trust Fund to the General Fund of  
7 the State with a certain exception; prohibiting the reversion or crediting of any  
8 part of the Transportation Trust Fund to a special fund of the State with a  
9 certain exception; requiring that certain taxes, fees, charges, and revenues be  
10 credited to the Transportation Trust Fund; authorizing the use of funds in the  
11 Transportation Trust Fund for defense or relief purposes if the State is invaded  
12 or a major catastrophe occurs and the Governor and the General Assembly take  
13 certain actions and provide for the repayment of the funds; submitting an  
14 amendment to the Maryland Constitution to the qualified voters of the State of  
15 Maryland for their adoption or rejection; increasing the motor fuel tax rates for  
16 certain motor fuel; requiring that the motor fuel tax rates for certain motor fuel  
17 be increased annually beginning on a certain date based on the annual  
18 percentage growth in a certain index; prohibiting an increase in certain motor  
19 fuel tax rates of more than a certain amount annually; requiring persons who  
20 hold tax-paid motor fuel on the date of an increase in the motor fuel tax to  
21 remit any additional tax due on the fuel; requiring the Comptroller to determine  
22 and announce the annual percentage growth in a certain index and the motor  
23 fuel tax rates for the next fiscal year by a certain date; defining a certain term;  
24 increasing certain motor vehicle registration fees; and generally relating to the  
25 financing and use of funds of the Transportation Trust Fund.

26 BY proposing an addition to the Maryland Constitution  
27 Article III – Legislative Department  
28 Section 53

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,  
 2 Article – Tax – General  
 3 Section 9–305  
 4 Annotated Code of Maryland  
 5 (2010 Replacement Volume)

6 BY repealing and reenacting, with amendments,  
 7 Article – Transportation  
 8 Section 13–912, 13–913, 13–914, 13–915, 13–916, 13–917, 13–919(f), 13–920(d),  
 9 13–921, 13–923, 13–924, 13–927, 13–930, 13–932, 13–933, 13–934,  
 10 13–935, 13–936(d) and (i), 13–936.1, 13–937, 13–937.1(c), 13–939,  
 11 13–939.1, and 13–939.2  
 12 Annotated Code of Maryland  
 13 (2009 Replacement Volume and 2010 Supplement)

14 BY repealing and reenacting, without amendments,  
 15 Article – Transportation  
 16 Section 13–918, 13–919(a), 13–920(a), 13–936(a), (b), (c), and (e), 13–937.1(a),  
 17 (b), (d), and (e)  
 18 Annotated Code of Maryland  
 19 (2009 Replacement Volume and 2010 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 21 MARYLAND, (Three–fifths of all the members elected to each of the two Houses  
 22 concurring), That it be proposed that the Maryland Constitution read as follows:

23 **Article III – Legislative Department**

24 **53.**

25 **(A) THERE IS A TRANSPORTATION TRUST FUND.**

26 **(B) EXCEPT AS PROVIDED IN SUBSECTIONS (C), (D), AND (F) OF THIS**  
 27 **SECTION, THE FUNDS IN THE TRANSPORTATION TRUST FUND MAY BE USED**  
 28 **ONLY:**

29 **(1) FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND**  
 30 **INTEREST ON TRANSPORTATION BONDS AS THEY BECOME DUE AND PAYABLE;**  
 31 **AND**

32 **(2) AFTER MEETING DEBT SERVICE REQUIREMENTS FOR**  
 33 **TRANSPORTATION BONDS, FOR ANY LAWFUL PURPOSE RELATED TO THE**  
 34 **CONSTRUCTION AND MAINTENANCE OF AN ADEQUATE HIGHWAY SYSTEM IN THE**  
 35 **STATE OR ANY OTHER PURPOSE RELATED TO TRANSPORTATION.**

1           **(C) (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, NO**  
2 **PART OF THE TRANSPORTATION TRUST FUND MAY REVERT OR BE CREDITED TO**  
3 **THE GENERAL FUND OF THE STATE.**

4           **(2) FUNDS FROM THE GASOLINE AND MOTOR VEHICLE REVENUE**  
5 **ACCOUNT IN THE TRANSPORTATION TRUST FUND MAY BE DISTRIBUTED TO**  
6 **THE GENERAL FUND AS PROVIDED IN § 8-402 OF THE TRANSPORTATION**  
7 **ARTICLE AS IT WAS IN EFFECT ON OCTOBER 1, 2010.**

8           **(3) THE GENERAL ASSEMBLY MAY DECREASE, BUT MAY NOT**  
9 **INCREASE, THE PORTION OF FUNDS FROM THE GASOLINE AND MOTOR VEHICLE**  
10 **REVENUE ACCOUNT IN THE TRANSPORTATION TRUST FUND THAT IS**  
11 **DISTRIBUTED TO THE GENERAL FUND UNDER § 8-402 OF THE**  
12 **TRANSPORTATION ARTICLE AS IT WAS IN EFFECT ON OCTOBER 1, 2010.**

13           **(D) NO PART OF THE TRANSPORTATION TRUST FUND MAY REVERT OR**  
14 **BE CREDITED TO A SPECIAL FUND OF THE STATE, UNLESS OTHERWISE**  
15 **PROVIDED BY A LAW THAT WAS IN EFFECT ON OCTOBER 1, 2010.**

16           **(E) THERE SHALL BE CREDITED TO THE TRANSPORTATION TRUST**  
17 **FUND THE FOLLOWING TAXES, FEES, CHARGES, AND REVENUES:**

18           **(1) THE CASH PROCEEDS OF THE SALE OF CONSOLIDATED**  
19 **TRANSPORTATION BONDS, NOTES, OR OTHER EVIDENCES OF OBLIGATION**  
20 **ISSUED FOR TRANSPORTATION PURPOSES;**

21           **(2) ALL FEDERAL FUNDS PROVIDED TO THE STATE FOR**  
22 **TRANSPORTATION PURPOSES;**

23           **(3) NOT LESS THAN THE PORTION OF MOTOR FUEL TAX REVENUE**  
24 **DISTRIBUTED TO THE TRANSPORTATION TRUST FUND UNDER TITLE 2,**  
25 **SUBTITLE 11 OF THE TAX - GENERAL ARTICLE AS IT WAS IN EFFECT ON**  
26 **OCTOBER 1, 2010;**

27           **(4) NOT LESS THAN THE PORTION OF MOTOR CARRIER TAX**  
28 **REVENUE DISTRIBUTED TO THE TRANSPORTATION TRUST FUND UNDER TITLE**  
29 **2, SUBTITLE 10 OF THE TAX - GENERAL ARTICLE AS IT WAS IN EFFECT ON**  
30 **OCTOBER 1, 2010;**

31           **(5) NOT LESS THAN THE PORTION OF VEHICLE EXCISE TAX**  
32 **REVENUE DISTRIBUTED TO THE TRANSPORTATION TRUST FUND UNDER §**  
33 **13-814 OF THE TRANSPORTATION ARTICLE AS IT WAS IN EFFECT ON OCTOBER**  
34 **1, 2010;**

1           **(6) NOT LESS THAN THE PORTION OF CORPORATE INCOME TAX**  
2 **REVENUE DISTRIBUTED TO THE TRANSPORTATION TRUST FUND UNDER §**  
3 **2-614 OF THE TAX – GENERAL ARTICLE AS IT WAS IN EFFECT ON OCTOBER 1,**  
4 **2010;**

5           **(7) NOT LESS THAN THE PORTION OF SALES AND USE TAX**  
6 **REVENUE DISTRIBUTED TO THE TRANSPORTATION TRUST FUND UNDER TITLE**  
7 **2, SUBTITLE 13 OF THE TAX – GENERAL ARTICLE AS IT WAS IN EFFECT ON**  
8 **OCTOBER 1, 2010;**

9           **(8) VEHICLE REGISTRATION FEES COLLECTED UNDER TITLE 13,**  
10 **SUBTITLE 9, PART II OF THE TRANSPORTATION ARTICLE;**

11           **(9) NOT LESS THAN THE PORTION OF REVENUE FROM ALL OTHER**  
12 **FEES COLLECTED BY THE MOTOR VEHICLE ADMINISTRATION AND**  
13 **DISTRIBUTED IN WHOLE OR IN PART TO THE TRANSPORTATION TRUST FUND**  
14 **UNDER THE TRANSPORTATION ARTICLE AS IT WAS IN EFFECT ON OCTOBER 1,**  
15 **2010;**

16           **(10) OPERATING REVENUES FROM FARES, FEES, RATES, RENTALS,**  
17 **AND OTHER CHARGES IMPOSED BY THE MARYLAND TRANSIT ADMINISTRATION,**  
18 **MARYLAND AVIATION ADMINISTRATION, AND MARYLAND PORT**  
19 **ADMINISTRATION FOR THE USE OF THEIR SERVICES OR FACILITIES;**

20           **(11) ALL OTHER FUNDS DISTRIBUTED TO THE TRANSPORTATION**  
21 **TRUST FUND UNDER A LAW IN EFFECT ON OCTOBER 1, 2010.**

22           **(F) THE FUNDS IN THE TRANSPORTATION TRUST FUND MAY BE USED**  
23 **FOR DEFENSE OR RELIEF PURPOSES IF:**

24           **(1) THE STATE IS INVADED BY LAND, SEA, OR AIR, OR A MAJOR**  
25 **CATASTROPHE OCCURS;**

26           **(2) THE GOVERNOR:**

27           **(I) PROCLAIMS A STATE OF EMERGENCY;**

28           **(II) DECLARES THAT USE OF THE FUNDS FOR DEFENSE OR**  
29 **RELIEF PURPOSES IS NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE**  
30 **PUBLIC HEALTH OR SAFETY; AND**

31           **(III) PROPOSES A PLAN TO REPAY THE TRANSPORTATION**  
32 **TRUST FUND, WITHIN 5 YEARS AFTER THE USE OF THE FUNDS, FOR ANY**  
33 **AMOUNTS USED UNDER THE AUTHORITY OF THIS SUBSECTION; AND**



1                   **(II) THE ANNUAL PERCENTAGE GROWTH IN THE**  
2 **CONSTRUCTION COST INDEX AS DETERMINED BY THE COMPTROLLER UNDER**  
3 **SUBSECTION (C)(2) OF THIS SECTION.**

4                   **(3) (I) FOR ANY FISCAL YEAR, THE MOTOR FUEL TAX RATES**  
5 **MAY NOT BE INCREASED BY MORE THAN 1 CENT PER GALLON OVER THE RATES**  
6 **IN EFFECT FOR THE PRECEDING FISCAL YEAR.**

7                   **(II) IF THERE IS NO INCREASE IN THE ANNUAL PERCENTAGE**  
8 **GROWTH IN THE CONSTRUCTION COST INDEX, THE MOTOR FUEL TAX RATES**  
9 **SHALL BE THE TAX RATES IN EFFECT FOR THE PRECEDING FISCAL YEAR.**

10                   **(4) THE COMPTROLLER SHALL REQUIRE ANY PERSON**  
11 **POSSESSING TAX-PAID MOTOR FUEL FOR SALE AT THE START OF BUSINESS ON**  
12 **THE DATE OF ANY INCREASE IN THE MOTOR FUEL TAX UNDER THIS SUBSECTION**  
13 **TO COMPILE AND FILE AN INVENTORY OF THE MOTOR FUEL HELD AT THE CLOSE**  
14 **OF BUSINESS ON THE PRECEDING DATE AND REMIT WITHIN 30 DAYS ANY**  
15 **ADDITIONAL MOTOR FUEL TAX THAT IS DUE ON THE MOTOR FUEL.**

16                   **(C) (1) IN THIS SUBSECTION, "CONSTRUCTION COST INDEX" MEANS**  
17 **AN INDEX PUBLISHED MONTHLY BY THE ENGINEERING NEWS-RECORD THAT IS**  
18 **A WEIGHTED AGGREGATE INDEX OF THE PRICES OF CONSTANT QUANTITIES OF**  
19 **STRUCTURAL STEEL, PORTLAND CEMENT, LUMBER, AND COMMON LABOR.**

20                   **(2) ON OR BEFORE APRIL 15 OF EACH YEAR, THE COMPTROLLER**  
21 **SHALL DETERMINE AND ANNOUNCE:**

22                   **(I) THE ANNUAL PERCENTAGE GROWTH IN THE**  
23 **CONSTRUCTION COST INDEX BASED ON THE CHANGE IN THE INDEX REPORTED**  
24 **FROM THE PRECEDING APRIL THROUGH THE CURRENT APRIL INDEX; AND**

25                   **(II) THE MOTOR FUEL TAX RATES EFFECTIVE JULY 1 OF THE**  
26 **NEXT FISCAL YEAR.**

## 27                   **Article – Transportation**

28                   13-912.

29                   (a) When registered with the Administration, every passenger car and  
30 station wagon, except as otherwise provided in this part, is a Class A (passenger)  
31 vehicle.

32                   (b) For each Class A (passenger) vehicle, the annual registration fee is:

1           (1) For a vehicle with a manufacturer's shipping weight of 3,700  
2 pounds or less — [~~\$50.50~~] **\$75.75**; and

3           (2) For a vehicle with a manufacturer's shipping weight of more than  
4 3,700 pounds — [~~\$76.50~~] **\$114.75**.

5 13–913.

6           (a) (1) When registered with the Administration, every passenger motor  
7 vehicle operated for the transportation of persons for hire, except a vehicle described  
8 in paragraph (2) of this subsection, is a Class B (for hire) vehicle.

9           (2) The following vehicles are not subject to the classification specified  
10 in this section:

11                   (i) Any vehicle operated on a regular schedule and between  
12 fixed termini; and

13                   (ii) Any vehicle for which a different classification is specified in  
14 this part.

15           (b) For each Class B (for hire) vehicle, the annual registration fee is  
16 [~~\$150.00~~] **\$225.00**.

17 13–914.

18           (a) When registered with the Administration, every motor vehicle operated  
19 as an ambulance, a mortician flower coach or service wagon, or a funeral limousine or  
20 coach is a Class C (funeral and ambulance) vehicle.

21           (b) For each Class C (funeral and ambulance) vehicle, the annual  
22 registration fee is [~~\$100.00~~] **\$150.00**.

23 13–915.

24           (a) When registered with the Administration, every motorcycle is a Class D  
25 (motorcycle) vehicle.

26           (b) For each Class D (motorcycle) vehicle, the annual registration fee is  
27 [~~\$35.00~~] **\$52.50**.

28 13–916.

29           (a) When registered with the Administration, every single unit truck with  
30 two or more axles is a Class E (truck) vehicle.

1 (b) For each Class E (truck) vehicle, the annual registration fee is based on  
2 the maximum gross weight of the vehicle or combination of vehicles, as follows:

3	Maximum Gross Weight	Fee (per 1,000 Pounds	
4	Limit (in Pounds)	or Fraction Thereof)	
5	10,000 (minimum) – 18,000	<del>[\$ 9.00]</del>	<b>\$13.50</b>
6	18,001 – 26,000	<del>[11.75]</del>	<b>17.63</b>
7	26,001 – 40,000	<del>[12.75]</del>	<b>19.13</b>
8	40,001 – 60,000	<del>[14.75]</del>	<b>22.13</b>
9	60,001 – 80,000 (maximum)	<del>[16.00]</del>	<b>24.00</b>

10 13–917.

11 Notwithstanding § 13–916(b) of this subtitle, for any Class E (truck) vehicle, the  
12 annual registration fee is ~~[\$63.75]~~ **\$95.63** if:

13 (1) The manufacturer’s rated capacity is 3/4 ton or less; and

14 (2) The maximum gross vehicle weight is 7,000 pounds or less.

15 13–918.

16 (a) If a Class E (truck) vehicle is operated in combination with a nonfreight  
17 trailer or semitrailer under § 13–927(b)(1) of this subtitle, the Class E (truck) vehicle  
18 shall be registered for only the gross vehicle weight of the Class E (truck) vehicle and  
19 not the gross combination weight of the Class E (truck) vehicle and nonfreight trailer  
20 or semitrailer.

21 (b) If a Class E (truck) vehicle is operated in combination with a freight  
22 trailer or semitrailer, under § 13–927(c)(1) of this subtitle, the Class E (truck) vehicle  
23 shall be registered for the gross combination weight, which includes the gross weight  
24 of the Class E (truck) vehicle, and the freight trailer or semitrailer with which it is in  
25 combination.

26 13–919.

27 (a) On application, the Administration shall issue a special Class E “dump  
28 service registration” to any applicant who certifies that the vehicle for which the  
29 application is made is a Class E (truck) vehicle that:

30 (1) Is designed to haul cargo and to self-unload by gravity or  
31 mechanical means; and

32 (2) Is to be used to haul feed or other loose materials in bulk.

33 (f) For each vehicle registered under this section, the annual registration fee  
34 is the greater of:



1 (1) ~~[\$26.25]~~ **\$39.38** for each thousand pounds of gross weight of the  
 2 vehicle; or

3 (2) ~~[\$1,050.00]~~ **\$1,575.00.**

4 13–920.

5 (a) (1) In this section, “tow truck” means a vehicle that:

6 (i) Is a Class E (truck) vehicle that is designed to lift, pull, or  
 7 carry a vehicle by a hoist or mechanical apparatus;

8 (ii) Has a manufacturer’s gross vehicle weight rating of 10,000  
 9 pounds or more; and

10 (iii) Is equipped as a tow truck or designed as a rollback as  
 11 defined in § 11–151.1 of this article.

12 (2) In this section, “tow truck” does not include a truck tractor as  
 13 defined in § 11–172 of this article.

14 (d) (1) Subject to the provisions of paragraph (2) of this subsection, for  
 15 each vehicle registered under this section, the annual registration fee is based on the  
 16 manufacturer’s gross vehicle weight rating as follows:

17	Manufacturer’s Gross Weight	Fee	
18	Rating (in Pounds)		
19	10,000 (or less) to 26,000	<del>[\$185.00]</del>	<b>\$277.50</b>
20	More than 26,000	<del>[\$550.00]</del>	<b>\$825.00</b>

21 (2) (i) The annual registration fee for a vehicle registered under  
 22 this section that is used for any purpose other than that described in subsection (c) of  
 23 this section shall be determined under subparagraph (ii) of this paragraph if the  
 24 maximum gross weight of the vehicle or combination of vehicles:

25 1. Exceeds 18,000 pounds and the vehicle has a  
 26 manufacturer’s gross weight rating of 26,000 pounds or less; or

27 2. Exceeds 35,000 pounds and the vehicle has a  
 28 manufacturer’s gross weight rating of more than 26,000 pounds.

29 (ii) The annual registration fee shall be the greater of:

30 1. The fees set forth in paragraph (1) of this subsection;

31 or





1 (2) Be a:

2 (i) Boat trailer;

3 (ii) Camping trailer;

4 (iii) Travel trailer;

5 (iv) House trailer; or

6 (v) Utility trailer.

7 (c) A freight trailer or semitrailer shall be:

8 (1) Designed for towing by a Class E (truck) or Class F (tractor)  
9 vehicle; and

10 (2) (i) In excess of 20,000 pounds gross weight if towed by a Class  
11 E (truck) vehicle; or

12 (ii) In excess of 10,000 pounds gross weight if towed by a Class  
13 F (tractor) vehicle.

14 (d) The annual registration fee for a Class G (trailer) vehicle is based on the  
15 maximum gross weight as follows:

16 (1) Except as provided in paragraph (2) of this subsection, for a  
17 nonfreight trailer or semitrailer:

18	Maximum Gross Weight	Fee	
19	Limit (in Pounds)		
20	3,000 or less	[\$ 25.50]	<b>\$ 38.25</b>
21	3,001 to 5,000	[51.00]	<b>76.50</b>
22	5,001 to 10,000	[80.00]	<b>120.00</b>
23	10,001 to 20,000	[124.00]	<b>186.00</b>

24 (2) For a nonfreight trailer or semitrailer with a maximum gross  
25 weight limit (in pounds) of 10,001 to 20,000 that is titled on or after October 1, 2005:

26 (i) The fee is ~~[\$124.00]~~ **\$186.00**; and

27 (ii) The vehicle shall be registered in one of the following weight  
28 ranges:

29 Maximum Gross Weight  
30 Limit (in Pounds)

1	10,001 to 11,000
2	11,001 to 12,000
3	12,001 to 13,000
4	13,001 to 14,000
5	14,001 to 15,000
6	15,001 to 16,000
7	16,001 to 17,000
8	17,001 to 18,000
9	18,001 to 19,000
10	19,001 to 20,000

11 (3) For a freight trailer or semitrailer the fee is [~~\$38.25~~] **\$57.38**.

12 13–930.

13 (a) In this section, “farm trailer or semitrailer” means a farm vehicle that is  
 14 a Class G (trailer) vehicle.

15 (b) On application, the Administration shall issue a special Class G “farm  
 16 trailer or semitrailer” registration to any applicant who certifies:

17 (1) That the applicant is a farmer; and

18 (2) That the vehicle for which the application is made is a farm trailer  
 19 or semitrailer, specifying its proposed use.

20 (c) Except as otherwise provided in this part, for each farm trailer or  
 21 semitrailer, the annual registration fee is based on the maximum gross weight  
 22 limitations for the vehicle, as follows:

23	Maximum Gross Weight		
24	Limit (in Pounds)	Fee	
25	3,000	[ <del>\$12.75</del> ]	<b>\$19.13</b>
26	5,000	[ <del>25.50</del> ]	<b>38.25</b>
27	10,000	[ <del>40.00</del> ]	<b>60.00</b>
28	20,000	[ <del>62.00</del> ]	<b>93.00</b>

29 (d) A vehicle registered under this section may not be used for hire except to  
 30 haul farm products for another farmer.

31 (e) A vehicle registered under this section may not be used in any manner  
 32 other than as a farm trailer or semitrailer.

33 13–932.

34 (a) When registered with the Administration, every school vehicle is a Class  
 35 H (school) vehicle.

1 (b) For each Type I school vehicle, the annual registration fee is:

2 (1) If the vehicle is a school bus only operated for the transportation of  
3 children, students, or teachers for educational purposes or in connection with a school  
4 activity or, with approval from a board of education in any county, to provide  
5 transportation for persons 60 years of age or older to civic, educational, social, or  
6 recreational activities — [~~\$51.00~~] **\$76.50**; and

7 (2) If the vehicle is a school bus charter operated for any purpose in  
8 addition to that specified in item (1) of this subsection — [~~\$150.00~~] **\$225.00**, less any  
9 amount paid under item (1) of this subsection.

10 (c) For each Type II school vehicle, the annual registration fee is [~~\$51.00~~]  
11 **\$76.50**.

12 13–933.

13 (a) When registered with the Administration, every bus operated under  
14 charter or for hire is a Class P (passenger bus) vehicle.

15 (b) For each Class P (passenger bus) vehicle, the annual registration fee is  
16 based on the seating capacity of the bus, as follows:

17	Seating Capacity	Fee
18	20 or less	<del>[\$275.00]</del> <b>\$ 412.50</b>
19	21 to 35	<del>[525.00]</del> <b>787.50</b>
20	36 or more	<del>[875.00]</del> <b>1,312.50</b>

21 13–934.

22 (a) When registered with the Administration, every vehicle used as a vanpool  
23 vehicle is a Class J (vanpool) vehicle.

24 (b) For each Class J (vanpool) vehicle, the annual registration fee is [~~\$76.50~~]  
25 **\$115.75**.

26 13–935.

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

28 (2) “Farm area motor vehicle” means a motor vehicle owned by a  
29 farmer and operated only on a farm or on a highway within a 10-mile radius of the  
30 farm.

31 (3) “Island vehicle” means a motor vehicle, other than a golf cart,  
32 operated exclusively on an island that:

- 1 (i) Is not accessible by a highway;
- 2 (ii) Does not have State maintained highways; and
- 3 (iii) Contains less than 20 miles of highways.

4 (b) If registered with the Administration under this section, every farm area  
5 motor vehicle, every island vehicle, and every vehicle that meets the requirements of  
6 subsection (d)(1) of this section is a Class K (farm area/island) vehicle.

7 (c) Except as provided in subsection (d) of this section, for each Class K (farm  
8 area/island) vehicle, the annual registration fee is [~~\$2.50~~] **\$3.75**.

9 (d) (1) The Administration may issue a temporary registration under this  
10 section to a vehicle, other than an island vehicle, that:

11 (i) Is owned by a resident of another state, or a company  
12 operating out of another state, if the individual or company is under contract with a  
13 Maryland farmer to conduct seasonal harvesting operations in this State;

14 (ii) Is used to transport perishable commodities directly between  
15 a farm and a packing plant for sorting and processing;

16 (iii) Passes a level 1 safety inspection conducted by the  
17 Department of State Police; and

18 (iv) Is only operated within a 35-mile radius of the location  
19 where the seasonal harvesting operations will occur.

20 (2) A temporary registration issued under this subsection may not be  
21 in effect for more than 90 days.

22 (3) The Department of State Police shall establish a weight limitation  
23 for vehicles registered under this subsection.

24 (4) A vehicle issued temporary registration under this subsection shall  
25 meet the mandatory minimum security requirements of Title 17, Subtitle 1 of this  
26 article.

27 (5) A person may not operate a vehicle registered under this  
28 subsection unless the person holds a driver's license issued under Title 16 of this  
29 article, or a license to drive issued by the state of the person's residence.

30 (6) The Administration may establish a fee for a temporary  
31 registration issued under this subsection.

1 (e) An island vehicle registered under this section may not be operated on a  
2 highway in the State that is not on an island described in subsection (a)(3) of this  
3 section.

4 13-936.

5 (a) In this section, "historic motor vehicle" means a motor vehicle, including  
6 a passenger vehicle, motorcycle, or truck that:

7 (1) Is at least 20 years old;

8 (2) Has not been substantially altered from the manufacturer's  
9 original design; and

10 (3) Meets criteria contained in regulations adopted by the  
11 Administration.

12 (b) In this section, "historic motor vehicle" does not include a vehicle that has  
13 been remanufactured or reconstructed as a replica of an original vehicle.

14 (c) If registered with the Administration under this section, every historic  
15 motor vehicle is a Class L (historic) vehicle.

16 (d) Except as provided in subsection (i) of this section, for each Class L  
17 (historic) vehicle, the annual registration fee is [~~\$25.50~~] **\$38.25**.

18 (e) In applying for registration of a historic motor vehicle under this section,  
19 the owner of the vehicle shall submit with the application a certification that the  
20 vehicle for which the application is made:

21 (1) Will be maintained for use in exhibitions, club activities, parades,  
22 tours, occasional transportation, and similar uses; and

23 (2) Will not be used:

24 (i) For general daily transportation; or

25 (ii) Primarily for the transportation of passengers or property on  
26 highways.

27 (i) (1) For a motor vehicle manufactured at least 60 years prior to the  
28 current model year, there is a onetime registration fee of [~~\$50.00~~] **\$75.00**.

29 (2) Registration of a motor vehicle manufactured under this subsection  
30 is not transferable to a subsequent owner.

31 13-936.1.



1 (a) In this section, “vintage registration plate” means a Maryland  
2 registration plate that was actually issued for display on a motor vehicle in a year not  
3 less than 25 years prior to January 1 of each calendar year.

4 (b) (1) Subject to the provisions of this subsection, the owner of a motor  
5 vehicle registered under § 13–936 or § 13–937.1 of this subtitle as a Class L (historic)  
6 or Class N (street rod) vehicle may display 2 vintage registration plates in lieu of  
7 current registration plates on that vehicle.

8 (2) The Administration may authorize the display of 2 vintage  
9 registration plates in lieu of current registration plates on a motor vehicle described in  
10 paragraph (1) of this subsection if:

11 (i) The owner of the motor vehicle submits an application on a  
12 form prescribed by the Administrator;

13 (ii) The 2 vintage registration plates were issued in the same  
14 year as the model year of the motor vehicle; and

15 (iii) The owner of the motor vehicle pays a onetime registration  
16 fee of [~~\$25.50~~] **\$38.25**.

17 (c) If the Administration authorizes the display of vintage registration plates  
18 under this section:

19 (1) The vintage registration plates shall remain valid for as long as  
20 title to the motor vehicle remains in the person who submitted an application under  
21 subsection (b)(2)(i) of this section; and

22 (2) A fee in addition to the onetime registration fee prescribed in  
23 subsection (b)(2)(iii) of this section is not required for the issuance of the vintage  
24 registration plates.

25 13–937.

26 (a) When registered with the Administration, every multipurpose passenger  
27 vehicle is a Class M (multipurpose) vehicle.

28 (b) For each Class M (multipurpose) vehicle, the annual registration fee is:

29 (1) For a vehicle with a manufacturer’s shipping weight of 3,700  
30 pounds or less – [~~\$50.50~~] **\$75.75**; and

31 (2) For a vehicle with a manufacturer’s shipping weight of more than  
32 3,700 pounds – [~~\$76.50~~] **\$114.75**.

1 (c) The Administration may by rule and regulation provide for the  
2 registration under this section of all multipurpose passenger vehicles registered under  
3 another category.

4 13-937.1.

5 (a) In this section, "street rod" means a motor vehicle that:

6 (1) Is 25 years old or older; and

7 (2) Has been substantially altered from the manufacturer's original  
8 design.

9 (b) Except as provided in subsection (e) of this section, if registered with the  
10 Administration under this section, every street rod is a Class N (street rod) vehicle.

11 (c) For each Class N (street rod) vehicle, the annual registration fee is  
12 ~~[\$25.00]~~ **\$37.50**.

13 (d) In applying for registration of a street rod under this section, the owner of  
14 the street rod shall submit with the application a certification that the vehicle for  
15 which the application is made:

16 (1) Will be maintained for use in exhibitions, club activities, parades,  
17 tours, occasional transportation, and similar uses; and

18 (2) Will not be used:

19 (i) For general daily transportation; or

20 (ii) Primarily for the transportation of passengers or property on  
21 highways.

22 (e) (1) The registration of a street rod registered before July 1, 1987 as a  
23 Class L (historic) vehicle shall remain valid until midnight on the date indicated on  
24 the registration card issued by the Administration.

25 (2) On expiration of a street rod's registration as a Class L (historic)  
26 vehicle, a street rod registered with the Administration shall be registered as a Class  
27 N (street rod) vehicle as required by this section.

28 13-939.

29 (a) When registered with the Administration, every limousine operated for  
30 hire is a Class Q (limousine) vehicle.

1 (b) For each Class Q (limousine) vehicle, the annual registration fee is  
 2 ~~[\$185.00]~~ **\$277.50**.

3 (c) On registration of a vehicle under this section, the Administration shall  
 4 issue special limousine vehicle registration plates of the size and design that the  
 5 Administration determines.

6 13-939.1.

7 Notwithstanding any other provision of this subtitle, for a rental vehicle as  
 8 defined in § 11-148.1 of this article, the annual registration fee is:

9 (1) For a Class A (passenger) vehicle with a manufacturer's shipping  
 10 weight of:

11 (i) 3,700 pounds or less – ~~[\$27.00]~~ **\$40.50**; and

12 (ii) More than 3,700 pounds – ~~[\$40.50]~~ **\$60.75**;

13 (2) For a Class E (truck) vehicle with a manufacturer's rated capacity  
 14 of 3/4 ton or less and a maximum gross vehicle weight of 7,000 pounds or less –  
 15 ~~[\$33.75]~~ **\$50.63**;

16 (3) Notwithstanding item (2) of this section, for a Class E (truck)  
 17 vehicle:

18 With Maximum Gross Weight	19 Limit (in Pounds)	20 Fee (per 1,000 Pounds	21 or Fraction Thereof)
22 10,000 (minimum) – 18,000		<del>[\$ 4.75]</del>	<b>\$ 7.13</b>
23 18,001 – 26,000		<del>[7.50]</del>	<b>11.25</b>
24 26,001 – 40,000		<del>[8.50]</del>	<b>12.75</b>
25 40,001 – 60,000		<del>[10.50]</del>	<b>15.75</b>
26 60,001 – 80,000 (maximum)		<del>[11.75]</del>	<b>17.63</b> ;

27 (4) For a Class F (tractor) vehicle based on the maximum gross weight  
 28 of the vehicle in combination with a trailer or semitrailer as follows:

29 Maximum Gross Weight	30 Limit (in Pounds)	31 Fee (per 1,000 Pounds	32 or Fraction Thereof)
33 40,000 (minimum) – 60,000		<del>[\$14.50]</del>	<b>\$21.75</b>
	60,001 – 80,000 or more	<del>[16.00]</del>	<b>24.00</b> ;

31 (5) For a Class G (trailer) vehicle based on the maximum gross weight  
 32 as follows:

33 (i) For a nonfreight trailer or semitrailer:

	Maximum Gross Weight			Fee
	Limit (in Pounds)			
3	3,000 or less		[\$13.50]	\$ <b>20.25</b>
4	3,001 – 5,000		[27.00]	<b>40.50</b>
5	5,001 – 10,000		[47.25]	<b>70.88</b>
6	10,001 – 20,000		[81.00]	<b>121.50</b> ; and

7 (ii) For a freight trailer or semitrailer – [~~\$20.25~~] **\$30.38**; and

8 (6) For a Class M (multipurpose) vehicle with a manufacturer's  
9 shipping weight of:

10 (i) 3,700 pounds or less – [~~\$27.00~~] **\$40.50**; and

11 (ii) More than 3,700 pounds – [~~\$40.50~~] **\$60.75**.

12 13–939.2.

13 (a) When registered with the Administration, every low speed vehicle is a  
14 Class R (low speed) vehicle.

15 (b) For each Class R (low speed) vehicle, the annual registration fee is  
16 [~~\$35.00~~] **\$52.50**.

17 SECTION 3. AND BE IT FURTHER ENACTED, That each person holding  
18 tax-paid motor fuel for sale at the start of business on July 1, 2011, shall compile and  
19 file an inventory of the motor fuel held at the close of business on June 30, 2011, and  
20 remit within 30 days any additional motor fuel tax that is due on the motor fuel.

21 SECTION 4. AND BE IT FURTHER ENACTED, That the General Assembly  
22 determines that the amendment to the Maryland Constitution proposed by Section 1  
23 of this Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of  
24 the Maryland Constitution concerning local approval of constitutional amendments do  
25 not apply.

26 SECTION 5. AND BE IT FURTHER ENACTED, That the amendment to the  
27 Maryland Constitution proposed by Section 1 of this Act shall be submitted to the  
28 qualified voters of the State at the next general election to be held in November, 2012  
29 for their adoption or rejection pursuant to Article XIV of the Maryland Constitution.  
30 At that general election, the vote on the proposed amendment to the Constitution shall  
31 be by ballot, and upon each ballot there shall be printed the words “For the  
32 Constitutional Amendment” and “Against the Constitutional Amendment,” as now  
33 provided by law. Immediately after the election, all returns shall be made to the  
34 Governor of the vote for and against the proposed amendment, as directed by Article  
35 XIV of the Maryland Constitution, and further proceedings had in accordance with  
36 Article XIV.

1           SECTION 6. AND BE IT FURTHER ENACTED, That, except as provided in  
2 Sections 2 and 3 of this Act, this Act shall take effect July 1, 2011.