## **HOUSE BILL 1075**

Q44 lr 2868

By: Delegates Young and R. Lewis

Introduced and read first time: February 7, 2024

Assigned to: Ways and Means

## A BILL ENTITLED

	TO BEEL DEVILLED
1	AN ACT concerning
2 3	Sales and Use Tax – Electric Bicycles and Electric Low Speed Scooters – Exemption
4 5 6	FOR the purpose of providing that the sales and use tax does not apply to a sale of a certain electric bicycle or a certain electric low speed scooter; and generally relating to a sales and use tax exemption for electric bicycles and electric low speed scooters.
7 8 9 10 11	BY adding to Article – Tax – General Section 11–246 Annotated Code of Maryland (2022 Replacement Volume and 2023 Supplement)
12 13 14 15 16	BY repealing and reenacting, without amendments, Article – Transportation Section 11–117.1 and 11–117.2 Annotated Code of Maryland (2020 Replacement Volume and 2023 Supplement)
17 18	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
19	Article - Tax - General
20	11–246.
21	(A) THE SALES AND USE TAX DOES NOT APPLY TO A SALE OF:
22 23	(1) AN ELECTRIC BICYCLE, AS DEFINED IN § 11–117.1 OF THE TRANSPORTATION ARTICLE; OR



- 1 (2) AN ELECTRIC LOW SPEED SCOOTER, AS DEFINED IN § 11–117.2 OF 2 THE TRANSPORTATION ARTICLE.
- 3 (B) ON OR BEFORE DECEMBER 31 EACH YEAR, THE COMPTROLLER SHALL 4 REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2–1257 OF THE 5 STATE GOVERNMENT ARTICLE, ON:
- 6 (1) THE AMOUNT OF FORGONE SALES AND USE TAX REVENUE 7 ATTRIBUTABLE TO THE EXEMPTION UNDER THIS SECTION; AND
- 8 (2) IN CONSULTATION WITH THE RELEVANT STATE AGENCIES, THE 9 EFFECT OF THE EXEMPTION UNDER THIS SECTION ON THE TRANSPORTATION AND 10 ENVIRONMENT GOALS OF THE STATE.

## 11 Article – Transportation

- 12 11-117.1.
- 13 (a) "Electric bicycle" means a vehicle that:
- 14 (1) Is designed to be operated by human power with the assistance of an 15 electric motor;
- 16 (2) Is equipped with fully operable pedals;
- 17 (3) Has two or three wheels;
- 18 (4) Has a motor with a rating of 750 watts or less; and
- 19 (5) Meets one of the requirements of subsection (b) of this section.
- 20 (b) (1) A Class 1 electric bicycle is equipped with a motor that provides 21 assistance only when the rider is pedaling and ceases to provide assistance when the bicycle 22 reaches a speed of 20 miles per hour.
- 23 (2) A Class 2 electric bicycle is equipped with a motor that provides assistance whether or not the rider is pedaling the bicycle and ceases to provide assistance when the bicycle reaches a speed of 20 miles per hour.
- 26 (3) A Class 3 electric bicycle is equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches a speed of 28 miles per hour.
- 29 11–117.2.

1	(a)	lectric low speed scooter" means a vehicle that:	
2		Is designed to transport only the operator;	
3		Weighs less than 100 pounds;	
$\frac{4}{5}$	the front an	Has single wheels in tandem or a combination of one or two whee	els at
6 7	while riding	Is equipped with handlebars and a platform designed to be stoo	od on
8		Is solely powered by an electric motor and human power; and	
9		Is capable of operating at a speed of up to 20 miles per hour.	
10	(b)	lectric low speed scooter" does not include:	
11		An electric personal assistive mobility device; or	
12 13	individual.	An electric wheelchair or other mobility aid used by a disa	abled
14 15 16 17	1, 2024. It s this Act, wit	N 2. AND BE IT FURTHER ENACTED, That this Act shall take effect I remain effective for a period of 5 years and, at the end of June 30, 2 to further action required by the General Assembly, shall be abrogated and effect.	2029,