

HOUSE BILL 454

Q5, R6

5lr0792
CF SB 664

By: **Delegates Szeliga, Adams, Anderton, Arentz, Buckel, Chang, Cluster, Fisher, Ghrist, Glass, Grammer, Hornberger, S. Howard, Impallaria, Jacobs, Kipke, Kittleman, Krebs, Long, Mautz, McKay, Metzgar, Miele, W. Miller, Morgan, O'Donnell, Rey, Saab, Shoemaker, Vitale, Vogt, West, and B. Wilson**

Introduced and read first time: February 9, 2015

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle–Miles–Traveled Tax and Associated Mandated Devices – Prohibition**

3 FOR the purpose of prohibiting the State or a local jurisdiction from imposing or levying a
4 vehicle–miles–traveled tax or certain other similar fees, tolls, or taxes; prohibiting
5 the State or a local jurisdiction from requiring the installation of a device in or on a
6 privately owned vehicle to facilitate the reporting of vehicle–miles traveled;
7 providing for the application of certain provisions of this Act; and generally relating
8 to a prohibition against a vehicle–miles–traveled tax and associated mandated
9 devices.

10 BY repealing and reenacting, without amendments,
11 Article – Tax – General
12 Section 9–205
13 Annotated Code of Maryland
14 (2010 Replacement Volume and 2014 Supplement)

15 BY adding to
16 Article – Tax – General
17 Section 9–401 to be under the new subtitle “Subtitle 4. Vehicle–Miles–Traveled Tax
18 – Prohibited”
19 Annotated Code of Maryland
20 (2010 Replacement Volume and 2014 Supplement)

21 BY adding to
22 Article – Transportation
23 Section 22–107
24 Annotated Code of Maryland
25 (2012 Replacement Volume and 2014 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Tax – General**

4 9–205.

5 (a) (1) The Comptroller may enter into reciprocal agreements on behalf of this
6 State, with the duly authorized representatives of any other state, that provide for:

7 (i) fuel tax registration of vehicles by motor carriers;

8 (ii) establishment of periodic fuel use reporting and fuel use tax
9 payment requirements by motor carriers; and

10 (iii) disbursement of money that is collected by the Comptroller and
11 is due to other states based on:

12 1. mileage travelled and fuel used in those states; and

13 2. the respective registration fees of those states.

14 (2) The Comptroller may not enter into any reciprocal agreement that
15 would affect:

16 (i) this State's motor carrier tax rate; or

17 (ii) this State's registration fee for motor carriers.

18 (b) In exercising the authority granted under subsection (a) of this section, the
19 Comptroller is expressly authorized to:

20 (1) enter into regional or national fuel use tax agreements;

21 (2) become a member of any regional or national conference, group,
22 compact, or similar organization of motor carrier fuel use tax administrators; and

23 (3) enforce the provisions set forth in any regional or national fuel use tax
24 agreements.

25 (c) The agreement provisions shall apply to the fuel use taxation, registration,
26 and reporting requirements of motor carriers subject to the provisions of the agreement
27 without reference to or application of any other statutes of this State.

28 **SUBTITLE 4. VEHICLE–MILES–TRAVELED TAX – PROHIBITED.**

1 **9-401.**

2 (A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE STATE OR A LOCAL
3 JURISDICTION MAY NOT DIRECTLY OR INDIRECTLY, INCLUDING THROUGH A
4 THIRD-PARTY AGREEMENT OR AS PART OF A PILOT PROGRAM OR STUDY, IMPOSE OR
5 LEVY:

6 (1) A VEHICLE-MILES-TRAVELED TAX;

7 (2) A MILEAGE-BASED USER FEE;

8 (3) A GLOBAL-POSITIONING-SATELLITE-TRACKING-BASED TOLL; OR

9 (4) ANY OTHER SIMILAR FORM OF TAX.

10 (B) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT THE
11 COMPTROLLER FROM ENTERING INTO AND THE STATE FROM ENFORCING AN
12 AGREEMENT IN ACCORDANCE WITH § 9-205 OF THIS TITLE.

13 **Article - Transportation**

14 **22-107.**

15 THE STATE OR A LOCAL JURISDICTION MAY NOT REQUIRE THE INSTALLATION
16 OF A DEVICE IN OR ON A PRIVATELY OWNED VEHICLE TO FACILITATE THE
17 REPORTING OF THE NUMBER OF VEHICLE-MILES TRAVELED.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2015.