

HOUSE BILL 899

Q5

5lr2482

By: **Delegate Vogt**

Introduced and read first time: February 13, 2015

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Fuel Tax – Distribution of Revenue – Local Governments**

3 FOR the purpose of allocating certain motor fuel tax revenue to a certain account that is
4 shared with local governments; repealing obsolete language; and generally relating
5 to increasing the portion of motor fuel tax revenue that is distributed to local
6 governments.

7 BY repealing and reenacting, with amendments,
8 Article – Tax – General
9 Section 2–1103
10 Annotated Code of Maryland
11 (2010 Replacement Volume and 2014 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Transportation
14 Section 8–402 and 8–403
15 Annotated Code of Maryland
16 (2008 Replacement Volume and 2014 Supplement)

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

19 **Article – Tax – General**

20 2–1103.

21 After making the distributions required under §§ 2–1101 and 2–1102 of this subtitle,
22 the Comptroller shall distribute:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) the remaining motor fuel tax revenue from aviation fuel to the
2 Transportation Trust Fund; **AND**

3 (2) all remaining motor fuel tax revenue, equal to the average percentage
4 by which the motor fuel tax rate exceeds 18.5 cents per gallon, **[not]** including revenue
5 attributable to an increase in the motor fuel tax rates under § 9–305(b) of this article **[or]**
6 **AND** revenue attributable to the sales and use tax equivalent rate imposed under § 9–306
7 of this article, to the Gasoline and Motor Vehicle Revenue Account in the Transportation
8 Trust Fund[;

9 (3) revenue attributable to an increase in the motor fuel tax rates imposed
10 under § 9–305(b) of this article to the Transportation Trust Fund; and

11 (4) revenue attributable to the sales and use tax equivalent rate imposed
12 under § 9–306 of this article to the Transportation Trust Fund].

13 Article – Transportation

14 8–402.

15 (a) There is a Gasoline and Motor Vehicle Revenue Account in the Transportation
16 Trust Fund.

17 (b) All revenues collected from the following, after deductions provided by law,
18 shall be credited to the Gasoline and Motor Vehicle Revenue Account:

19 (1) All of the motor vehicle fuel tax;

20 (2) Except as otherwise provided by law, two-thirds of the vehicle titling
21 tax;

22 (3) Except for revenues collected under Parts III and IV of Title 13, Subtitle
23 9 of this article, vehicle registration fees;

24 (4) The revenue disbursed to this Account under § 2–614 of the Tax –
25 General Article; and

26 (5) 80 percent of the funds distributed on short-term vehicle rentals under
27 § 2–1302.1 of the Tax – General Article to the Transportation Trust Fund from the sales
28 and use tax.

29 (c) **[(1) Except as provided in paragraph (2) of this subsection, for] FOR** each
30 fiscal year:

31 **[(i) (1) 90.4% of the revenue credited to the Account may be used**
32 **as provided in § 3–216 of this article; and**

1 [(ii)] (2) The balance of the Account shall be used to pay the
2 allocations of highway user revenues provided by this subtitle to the counties,
3 municipalities, and Baltimore City.

4 [(2) For fiscal years 2010 through 2013, the Account shall be distributed as
5 follows:

6 (i) A portion to the General Fund of the State for fiscal years 2010
7 through 2012 as follows:

- 8 1. 19.5% for fiscal year 2010;
- 9 2. 23% for fiscal year 2011; and
- 10 3. 11.3% for fiscal year 2012;

11 (ii) A portion to be used as provided in § 3–216 of this article, as
12 follows:

- 13 1. 70% for fiscal year 2010;
- 14 2. 68.5% for fiscal year 2011;
- 15 3. Subject to paragraph (3) of this subsection, 79.8% for fiscal
16 year 2012; and
- 17 4. 90% for fiscal year 2013; and

18 (iii) The balance to be used to pay the allocations of highway user
19 revenues provided under this subtitle to the counties, municipalities, and Baltimore City.

20 (3) For fiscal year 2012, from the amount allocated to the Transportation
21 Trust Fund under paragraph (2)(ii)3 of this subsection, \$40,000,000 shall be transferred
22 from the Transportation Trust Fund to the Revenue Stabilization Account established
23 under § 7–311 of the State Finance and Procurement Article.]

24 8–403.

25 [(a)] Subject to §§ 3–307 and 3–308 of this article, [and except as provided in
26 subsection (b) of this section,] for each fiscal year, from the total highway user revenues:

27 (1) An amount equal to 7.7% of total highway user revenues shall be
28 distributed to Baltimore City in monthly installments;

1 (2) An amount shall be distributed to the counties at the times specified in
2 § 8–407 of this subtitle, to be allocated as provided in § 8–404 of this subtitle, equal to 1.5%
3 of total highway user revenues; and

4 (3) An amount shall be distributed to the municipalities at the times
5 specified in § 8–407 of this subtitle, to be allocated as provided in § 8–405 of this subtitle,
6 equal to 0.4% of total highway user revenues.

7 [(b) (1) For fiscal year 2010:

8 (i) The amount distributed to Baltimore City under this subtitle
9 shall equal 8.6% of total highway user revenues;

10 (ii) The amount distributed to the counties under this subtitle shall
11 equal 1.5% of total highway user revenues; and

12 (iii) The amount distributed to the municipalities under this subtitle
13 shall equal 0.4% of total highway user revenues.

14 (2) For fiscal year 2011:

15 (i) The amount distributed to Baltimore City under this subtitle
16 shall equal 7.9% of total highway user revenues;

17 (ii) The amount distributed to the counties under this subtitle shall
18 equal 0.5% of total highway user revenues; and

19 (iii) The amount distributed to the municipalities under this subtitle
20 shall equal 0.1% of total highway user revenues.

21 (3) For fiscal year 2012:

22 (i) The amount distributed to Baltimore City under this subtitle
23 shall equal 7.5% of total highway user revenues;

24 (ii) The amount distributed to the counties under this subtitle shall
25 equal 0.8% of total highway user revenues; and

26 (iii) The amount distributed to the municipalities under this subtitle
27 shall equal 0.6% of total highway user revenues.

28 (4) For fiscal year 2013:

29 (i) The amount distributed to Baltimore City under this subtitle
30 shall equal 8.1% of total highway user revenues;

1 (ii) The amount distributed to the counties under this subtitle shall
2 equal 1.5% of total highway user revenues; and

3 (iii) The amount distributed to the municipalities under this subtitle
4 shall equal 0.4% of total highway user revenues.]

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
6 1, 2015.