

Chapter 490

(House Bill 469)

AN ACT concerning

Motor Vehicle Excise Tax – Tax Credit For Electric Vehicles

FOR the purpose of repealing a certain obsolete credit against the motor vehicle excise tax for certain qualified hybrid vehicles and certain qualified electric vehicles; allowing a credit against the motor vehicle excise tax for certain qualified plug-in electric drive vehicles for a certain period; transferring certain money from the Strategic Energy Investment Fund to the Transportation Trust Fund in ~~a certain fiscal year years; requiring the Governor to transfer money from the Strategic Energy Investment Fund to the Transportation Trust Fund in certain fiscal years;~~ and generally relating to a motor vehicle excise tax credit for certain qualified plug-in electric drive vehicles.

BY repealing

Article – Transportation
Section 13–815
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY adding to

Article – Transportation
Section 13–815
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 13–815 of Article – Transportation of the Annotated Code of Maryland be repealed.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation

13–815.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “EXCISE TAX” MEANS THE TAX IMPOSED UNDER § 13-809 OF THIS SUBTITLE.

(3) “QUALIFIED PLUG-IN ELECTRIC DRIVE VEHICLE” MEANS A ~~4-WHEELED~~ MOTOR VEHICLE THAT:

(I) IS MADE BY A MANUFACTURER;

(II) IS MANUFACTURED PRIMARILY FOR USE ON PUBLIC STREETS, ROADS, AND HIGHWAYS;

(III) HAS NOT BEEN MODIFIED FROM ORIGINAL MANUFACTURER SPECIFICATIONS;

(IV) IS ACQUIRED FOR USE OR LEASE BY THE TAXPAYER AND NOT FOR RESALE;

(V) IS RATED AT NOT MORE THAN 8,500 POUNDS UNLOADED GROSS VEHICLE WEIGHT;

(VI) HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST 55 MILES PER HOUR;

(VII) IS PROPELLED TO A SIGNIFICANT EXTENT BY AN ELECTRIC MOTOR THAT DRAWS ELECTRICITY FROM A BATTERY THAT:

1. ~~HAS~~ FOR A 4-WHEELED MOTOR VEHICLE, HAS A CAPACITY OF NOT LESS THAN 4 KILOWATT HOURS; AND

2. FOR A 2-WHEELED OR 3-WHEELED MOTOR VEHICLE, HAS A CAPACITY OF NOT LESS THAN 2.5 KILOWATT HOURS; AND

~~2.~~ 3. IS CAPABLE OF BEING RECHARGED FROM AN EXTERNAL SOURCE OF ELECTRICITY; AND

(VIII) IS ~~ACQUIRED~~ TITLED BY THE TAXPAYER ON OR AFTER OCTOBER 1, 2010, BUT BEFORE JULY 1, 2013.

(B) (1) A CREDIT IS ALLOWED AGAINST THE EXCISE TAX IMPOSED FOR A QUALIFIED PLUG-IN ELECTRIC DRIVE VEHICLE.

(2) SUBJECT TO THE LIMITATIONS UNDER SUBSECTIONS (C) THROUGH (E) OF THIS SECTION, THE CREDIT ALLOWED UNDER THIS SECTION EQUALS 100% OF THE EXCISE TAX IMPOSED FOR A VEHICLE.

(C) THE CREDIT ALLOWED UNDER THIS SECTION MAY NOT EXCEED \$2,000.

(D) THE CREDIT ALLOWED UNDER THIS SECTION IS LIMITED TO THE ACQUISITION OF:

(1) ONE VEHICLE PER INDIVIDUAL; AND

(2) 10 VEHICLES PER BUSINESS ENTITY.

(E) A CREDIT MAY NOT BE CLAIMED UNDER THIS SECTION:

(1) FOR A VEHICLE UNLESS THE VEHICLE IS REGISTERED IN THE STATE; ~~OR~~

(2) UNLESS THE ~~OWNER~~ MANUFACTURER HAS ALREADY CONFORMED TO ANY APPLICABLE STATE OR FEDERAL LAWS OR REGULATIONS GOVERNING CLEAN-FUEL VEHICLE OR ELECTRIC VEHICLE PURCHASES APPLICABLE DURING THE CALENDAR YEAR IN WHICH THE VEHICLE IS TITLED; OR

(3) FOR A VEHICLE THAT WAS ORIGINALLY REGISTERED IN ANOTHER STATE.

(F) THE MOTOR VEHICLE ADMINISTRATION SHALL ADMINISTER THE CREDIT UNDER THIS SECTION.

SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, ~~for fiscal year 2011, \$279,000~~ the following amounts shall be transferred from the Strategic Energy Investment Fund established under § 9-20B-05 of the State Government Article to the Transportation Trust Fund to offset a reduction in revenues from the vehicle excise tax credit for qualified plug-in electric drive vehicles established under Section 2 of this Act:

(1) for fiscal year 2011, \$279,000;

(2) for fiscal year 2012, \$939,600; and

(3) for fiscal year 2013, \$1,287,000.

~~SECTION 4. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, for fiscal years 2012 and 2013 only, the Governor shall include in the annual budget bill a transfer of funds from the Strategic Energy Investment Fund established under § 9-20B-05 of the State Government Article to the~~

~~Transportation Trust Fund in an amount estimated to offset the reduction in revenues from the vehicle excise tax credit for qualified plug-in electric drive vehicles established under Section 2 of this Act.~~

SECTION ~~5~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.

Approved by the Governor, May 20, 2010.