

# SENATE BILL 140

Q5  
SB 50/06 – B&T

71r0725

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By: **Senator Pipkin**  
Introduced and read first time: January 24, 2007  
Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Queen Anne's County – Motor Fuel Tax – Exemption for Biodiesel Fuel**

3 FOR the purpose of exempting biodiesel fuel purchased for use in Queen Anne's  
4 County government vehicles and school buses from the State motor fuel tax;  
5 providing for the termination of this Act; and generally relating to motor fuel  
6 tax exemptions for biodiesel fuel.

7 BY repealing and reenacting, with amendments,  
8 Article – Tax – General  
9 Section 9–303  
10 Annotated Code of Maryland  
11 (2004 Replacement Volume and 2006 Supplement)

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

14 **Article – Tax – General**

15 9–303.

16 (a) The motor fuel tax does not apply to motor fuel that is exported or sold for  
17 exportation from this State.

18 (b) The motor fuel tax does not apply to special fuel:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (1)     containing dye and sold for uses other than in a licensed motor  
2 vehicle;

3           (2)     delivered into a tank used only for heating; or

4           (3)     used for any purpose other than propelling a motor vehicle or  
5 turbine-powered aircraft.

6           (c)     The motor fuel tax does not apply to aviation fuel that is bought for use  
7 by:

8           (1)     a carrier engaged in the common carriage of individuals or  
9 property under Parts 121, 127, and 129 of the Federal Aviation Regulations;

10          (2)     an operator under Part 135 of the Federal Aviation Regulations if  
11 at least 70% of the aviation fuel is used in the common carriage of individuals or  
12 property;

13          (3)     the State;

14          (4)     a political subdivision of the State;

15          (5)     a unit or instrumentality of the United States government; or

16          (6)     a foreign government.

17          (d)     The motor fuel tax does not apply to motor fuel that is bought by the  
18 Department of General Services for use by State agencies.

19           **(E)     THE MOTOR FUEL TAX DOES NOT APPLY TO BIODIESEL FUEL THAT**  
20 **IS BOUGHT FOR USE IN QUEEN ANNE'S COUNTY GOVERNMENT VEHICLES AND**  
21 **SCHOOL BUSES.**

22           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 July 1, 2007. It shall remain effective for a period of 3 years and, at the end of June 30,  
24 2010, with no further action required by the General Assembly, this Act shall be  
25 abrogated and of no further force and effect.