

# HOUSE BILL 469

R7

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CF SB 281

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By: **The Speaker (By Request – Administration) and Delegates Rosenberg, Hixson, Doory, Cardin, Bartlett, Frick, Kaiser, Ross, F. Turner, Beidle, Bobo, Bronrott, Carr, DeBoy, Haddaway, Hecht, Levy, Love, Malone, Manno, Mathias, Niemann, Reznik, Shewell, ~~and Stein~~ Stein, Gilchrist, Ivey, Rice, Murphy, Howard, Barve, Walker, Olszewski, and Stukes**

Introduced and read first time: January 29, 2010

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2010

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Motor Vehicle Excise Tax – Tax Credit For Electric Vehicles**

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

12 BY repealing

13 Article – Transportation

14 Section 13–815

15 Annotated Code of Maryland

16 (2009 Replacement Volume and 2009 Supplement)

17 BY adding to

18 Article – Transportation

19 Section 13–815

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland  
2 (2009 Replacement Volume and 2009 Supplement)

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5 Code of Maryland be repealed.

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

8 **Article – Transportation**

9 **13–815.**

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

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

14 (3) “QUALIFIED PLUG-IN ELECTRIC DRIVE VEHICLE” MEANS A  
15 ~~4-WHEELED~~ MOTOR VEHICLE THAT:

16 (I) IS MADE BY A MANUFACTURER;

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

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

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

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

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

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

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

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

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

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

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

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

12           **(C) THE CREDIT ALLOWED UNDER THIS SECTION MAY NOT EXCEED**  
13 **\$2,000.**

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

16                   **(1) ONE VEHICLE PER INDIVIDUAL; AND**

17                   **(2) 10 VEHICLES PER BUSINESS ENTITY.**

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

19                   **(1) FOR A VEHICLE UNLESS THE VEHICLE IS REGISTERED IN THE**  
20 **STATE; OR**

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

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

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

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

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

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

4           ~~SECTION 4. AND BE IT FURTHER ENACTED, That, notwithstanding any~~  
5 ~~other provision of law, for fiscal years 2012 and 2013 only, the Governor shall include~~  
6 ~~in the annual budget bill a transfer of funds from the Strategic Energy Investment~~  
7 ~~Fund established under § 9-20B-05 of the State Government Article to the~~  
8 ~~Transportation Trust Fund in an amount estimated to offset the reduction in revenues~~  
9 ~~from the vehicle excise tax credit for qualified plug-in electric drive vehicles~~  
10 ~~established under Section 2 of this Act.~~

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

Approved:

\_\_\_\_\_ Governor.

\_\_\_\_\_ Speaker of the House of Delegates.

\_\_\_\_\_ President of the Senate.