

By Mr. Bickford of Berlin, petition of Walter E. Bickford and other members of the General Court for the imposition of an additional excise tax on motor vehicles which do not meet certain fuel economy standards. Taxation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT RELATIVE TO ENERGY EFFICIENT STANDARDS IN MOTOR VEHICLES.

Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, as follows:

1 SECTION 1. Chapter 64H of the General Laws is hereby
2 amended by inserting after Section 2 the following section:

3 *Section 2A.* An excise in addition to the excise set forth in
4 Section 2 of this chapter is hereby imposed upon sales at retail of
5 motor vehicles in the commonwealth by any vendor from all such
6 sales of motor vehicles which do not meet the average fuel economy
7 standards as established by 15 U.S.C. 2002 (a) (1), as amended. The
8 excise shall be imposed in conformity with the schedule set forth in
9 Section 4B of this chapter and shall take effect with all motor
10 vehicles manufactured and sold in the 1981 model year. For the
11 purpose of this paragraph, the term "motor vehicle" means any
12 self-propelled vehicle designed for use and used primarily upon the
13 highways.

1 SECTION 2. Paragraph (c) of Section 3 of chapter 64H of the
2 General Laws is hereby amended by inserting after the words "The
3 excise imposed by section two" the words: "and Section 2A".

1 SECTION 3. Paragraph (c) of Section 3 of Chapter 64H of the
2 General Laws is hereby amended by inserting after the third
3 sentence thereof the following sentence: "Notwithstanding the
4 above, the form prescribed by the commissioner shall include the
5 weighted combined average of the city and highway miles gained

6 per gallon by the motor vehicle as determined by the Environmen-
7 tal Protection Agency for the year in which the car is manufac-
8 tured.”

1 SECTION 4. Chapter 64H of the General Laws is hereby
2 amended by inserting after Section 4 the following sections:

3 *Section 4A.* For the purpose of adding and collecting the tax
4 imposed by Section 2A of this chapter, the gas consumption of a
5 motor vehicle shall be deemed to be the weighted combined aver-
6 age of the city and highway miles gained per gallon of such motor
7 vehicle as determined by the Mobile Source Air Pollution Control
8 Program of the Environmental Protection Agency for the year in
9 which the car is manufactured.

10 *Section 4B.* For the purpose of adding and collecting the tax
11 imposed by Section 2A of this chapter, to be paid by the purchaser
12 to the registrar of motor vehicles, the following formula shall be in
13 force and effect as follows:

Model Year	Federal Fuel Economy Standard	Miles per gallon gained by motor vehicle (weighted combined average)	Amount of Tax (% above present retail sales price)
1981	22mpg	22 mpg and above	0%
		21-21.9	1
		20-20.9	2
		19-19.9	3
		18-18.9	4
		17-17.9	5
		16.9 and below	6
1982	24.0	24 mpg and above	0%
		23-23.9	1
		22-22.9	2
		21-21.9	3
		20-20.9	4
		19-19.9	5
		18.9 and below	6

Model Year	Federal Fuel Economy Standard	Miles per gallon gained by motor vehicle (weighted combined average)	Amount of Tax (% above present retail sales price)
1983	26.0	26 mpg and above	0%
		25-25.9	1
		24-24.9	2
		23-23.9	3
		22-22.9	4
		21-21.9	5
		20.9 and below	6
1984	27.0	27 mpg and above	0
		26-26.9	1
		25-25.9	2
		24-24.9	3
		23-23.9	4
		22-22.9	5
		21.9 and below	6
1985 and thereafter	27.5	27.5 mpg and above	0
		26.5-27.4	1
		25.5-26.4	2
		24.5-25.4	3
		23.5-24.4	4
		22.5-23.4	5
		22.4 and below	6

1 SECTION 5. Chapter 64H of the General Laws is hereby
2 amended by adding after the words "or any such sale of a boat or
3 airplane from the tax imposed under chapter sixty-four I" the
4 following words: ", or any such sale of a motor vehicle as defined in
5 Section 2A of this chapter from the tax imposed under Sections
6 2A, 4A, and 4B of this chapter."

1 SECTION 6. Chapter 64H of the General Laws is hereby
2 amended by inserting after Section 26 the following section:

3 *Section 26A.* Where a trade-in of a motor vehicle is received by a
4 dealer in such vehicles holding a valid vendor's registration, upon
5 the sale of another motor vehicle to a consumer or user, the tax as
6 set forth in Sections 2A, 4A, and 4B of this chapter shall only be
7 imposed on the difference between the sale price of the motor
8 vehicle and the amount allowed on the motor vehicle. When any
9 such motor vehicle traded in is subsequently sold to a consumer or
10 user, the tax provided for in Sections 2A, 4A, and 4B of this
11 chapter shall apply. For the purpose of this section, the term
12 "motor vehicle" means any self-propelled vehicle designed for use
13 and used primarily on the highway.

1 SECTION 7. Chapter 81 of the General Laws is hereby amend-
2 ed by inserting after Section 26A the following section:

3 *Section 26B.* Any monies collected as a result of the imposition
4 of the sales tax as provided for in Sections 2A, 4A, and 4B of
5 chapter 64H shall be allocated as follows:

6 1. First, for the administrative costs associated with the imposi-
7 tion and collection of the tax.

8 2. Second, for the repair and improvement of public ways not
9 laid out as state highways, in accordance with a formula to be
10 determined by the Department of Public Works after due notice
11 and hearing to the towns and counties who are or may become
12 eligible to receive the proceeds of such tax.