

SB0362/183220/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 362
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “purposes;” insert “altering the maximum penalty for a civil citation issued as a result of a recorded image produced by a work zone speed control system; repealing a requirement that warning notices be issued for violations recorded by a work zone speed control system during certain periods of time;”; in the same line, strike “authorizing” and substitute “requiring the Maryland Community Health Resources Commission to procure a certain referral and data reporting platform; prohibiting”; in line 5, strike “to make certain alterations to enrollment” and substitute “from increasing copayment levels”; in line 12, after “revenue;” insert “altering the purpose, contents, and sources of the funding of the Maryland Trauma Physician Services Fund; altering the entities to which money from the Maryland Trauma Physician Services Fund is transferred; altering the methodology used to determine eligibility for disbursements from the Maryland Trauma Physician Services Fund; imposing a transportation network company impact fee on passenger trips that originate in the State; requiring a transportation network company to collect the transportation network company impact fee from a passenger on behalf of a transportation network operator or pay the fee on behalf of a passenger;”; in line 18, after “Agency;” insert “requiring certain corporations to compute Maryland taxable income using a certain method; requiring, subject to regulations adopted by the Comptroller, certain groups of corporations to file a combined income tax return reflecting the aggregate income tax liability of all the members of the group; requiring the Comptroller to adopt certain regulations consistent with certain regulations adopted by the Multistate Tax Commission; pledging certain revenues from a transportation network company impact fee to paying the principal of and interest on consolidated transportation bonds issued by the Department of Transportation; establishing a Transportation Network Company Impact Fee Account in the Transportation Trust”

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Fund; requiring the Department to allocate the Transportation Network Company Impact Fee Account for certain transportation purposes;”; in line 20, after “buses;” insert “repealing the requirement for the Motor Vehicle Administration to issue, and for vehicle owners to display, a validation tab on a license plate to evidence payment of a vehicle’s annual registration fee; requiring owners of electric vehicles to pay a certain annual surcharge in addition to the annual registration fee; authorizing the surcharge to be paid in installment payments; requiring the proceeds collected from the surcharge to be deposited into the Transportation Trust Fund; requiring the Motor Vehicle Administration to refuse to register or renew or transfer the registration of a motor vehicle for failure to pay the surcharge or installments; increasing the annual registration fees for certain motor vehicles; altering the weight classifications for certain motor vehicles; altering the distribution of revenue from civil fines collected through the use of work zone speed control systems; altering the highways on which a work zone speed control system may be used; clarifying that a system operator does not need to be present when a work zone speed control system is in use; clarifying that multiple work zone speed control systems may be implemented and used in a work zone; altering the amount of the motor vehicle registration surcharge and the amount of the surcharge that is required to be paid into the Maryland Trauma Physician Services Fund; increasing the fines for certain violations of the Maryland Vehicle Law related to driving while impaired; altering the authorized uses of the Maryland Emergency Medical System Operations Fund; altering the calculation of the vehicle excise tax by altering an allowance against the total purchase price of a vehicle for the value of a trade-in vehicle; increasing the vehicle excise tax rate;”; and in line 24, before “repealing” insert “repealing the School Construction Revolving Loan Fund; repealing the Commission on Transportation Revenue and Infrastructure Needs;”.

On page 2, strike in their entirety lines 3 through 7, inclusive; after line 17, insert:

“BY repealing and reenacting, with amendments,
Article - Courts and Judicial Proceedings
Section 7-302(e)(2) and (4)(i)

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Annotated Code of Maryland
(2020 Replacement Volume and 2023 Supplement)”;

in line 20, strike “5–315(a),” and substitute “7–447.1(a)(1) and (3) through (6).”; in line 26, strike “5–315(l),” and substitute “7–447.1(p).”; in line 32, after “Section” insert “7–447.1(p) and”; and in line 37, after “15–1004(a)” insert “and 19–101”.

On page 3, in line 3, after “15–1004(f)” insert “and 19–130”; in line 18, strike “, 5–307(f),”; in line 23, strike “5–307(a) and”; and after line 35, insert:

“BY adding to
Article - Public Utilities
Section 10-408
Annotated Code of Maryland
(2020 Replacement Volume and 2023 Supplement)”.

On page 4, in line 33, after “2–606(h)” insert “, 10–811, and 11–101(l)(3)(ii) and (iii)”; and after line 35, insert:

“BY adding to
Article - Tax - General
Section 10-402.1 and 11-101(l)(3)(iv)
Annotated Code of Maryland
(2022 Replacement Volume and 2023 Supplement)”.

On pages 4 and 5, strike in their entirety the lines beginning with line 36 on page 4 through line 1 on page 5.

On page 5, strike in their entirety lines 16 through 21, inclusive; after line 26, insert:

“BY repealing and reenacting, with amendments,
Article - Transportation
Section 3–215, 3–216(c)(2)(i), 7–406(c)(1) and (2), 12–118(c) and (e),
13–410(e), 13–411(d) and (e), 13–412(a), (b)(1), and (c), 13–413(b), 13–
415(a) through (c), (g), and (h), 13–809, 13–901, 13–912 through 13–917,
13–919(f), 13–920(d), 13–923, 13–927(d), 13–932 through 13–934, 13–

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936(d), 13-937, 13-937.1(c), 13-939, 13-954(b), 21-810(b)(1) and (2), (c), and (k), and 21-902(a) through (d)

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BY repealing and reenacting, without amendments,

Article - Transportation

Section 3-216(a), 7-101(a) and (b), 11-101 through 11-103, 11-125.1, 11-145.1, 12-118(a), 13-413(a), 13-815(a)(1) and (4), 13-919(a), 13-920(a) through (c), 13-936(a) through (c), and 13-937.1(a) and (b)

Annotated Code of Maryland
(2020 Replacement Volume and 2023 Supplement)

BY adding to

Article - Transportation

Section 3-216(d)(5), 13-956, and 21-810(k)

Annotated Code of Maryland
(2020 Replacement Volume and 2023 Supplement)

BY renumbering

Article - Education

Section 7-447.1(q) through (s)
to be Section 7-447.1(r) through (t), respectively

Annotated Code of Maryland
(2022 Replacement Volume and 2023 Supplement)

BY repealing

Article - Education

Section 5-315

Annotated Code of Maryland
(2022 Replacement Volume and 2023 Supplement)”;

and after line 31, insert:

“BY repealing and reenacting, with amendments,

Chapter 500 of the Acts of the General Assembly of 2009
Section 3

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BY repealing

Chapter 455 of the Acts of the General Assembly of 2023
Section 2”.

On page 38, after line 15, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 7–447.1(q) through (s) of Article - Education of the Annotated Code of Maryland be renumbered to be Section(s) 7–447.1(r) through (t), respectively.”;

and in lines 16 and 18, strike “2.” and “3.”, respectively, and substitute “4.” and “6.”, respectively.

On page 42, in lines 12 and 21, strike “4.” and “5.”, respectively, and substitute “7.” and “8.”, respectively.

On page 43, in lines 1, 6, and 19, strike “6.”, “7.”, and “8.”, respectively, and substitute “9.”, “10.”, and “11.”, respectively.

On page 44, in lines 14, 20, 26, 32, and 38, strike “9.”, “10.”, “11.”, “12.”, and “13.”, respectively, and substitute “12.”, “13.”, “14.”, “15.”, and “16.”, respectively.

On page 45, in lines 4, 10, and 15, strike “14.”, “15.”, and “16.”, respectively, and substitute “17.”, “18.”, and “22.”, respectively.

AMENDMENT NO. 2

On pages 5 and 6, strike in their entirety the lines beginning with line 34 on page 5 through line 2 on page 6, inclusive.

AMENDMENT NO. 3

On page 6, strike beginning with the comma in line 9 down through “THEREAFTER” in line 10; and in line 18, strike “ONLY” and substitute “AND EACH FISCAL YEAR THEREAFTER”.

AMENDMENT NO. 4

On page 7, strike in their entirety lines 2 through 10, inclusive.

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On page 38, after line 15, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 5–315 of Article - Education of the Annotated Code of Maryland be repealed.”.

On page 45, after line 14, insert:

“SECTION 19. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2024, the Governor may transfer to the Blueprint for Maryland’s Future Fund established under § 5–206 of the Education Article \$40,000,000 from the School Construction Revolving Loan Fund established under § 5–315 of the Education Article.”.

AMENDMENT NO. 5

On page 9, after line 21, insert:

“Article – Education

7–447.1.

(a) (1) In this section the following words have the meanings indicated.

(3) “Commission” means the Maryland Community Health Resources Commission.

(4) “Consortium” means the Maryland Consortium on Coordinated Community Supports established under subsection (b) of this section.

(5) “Coordinated community supports” means a holistic, nonstigmatized, and coordinated approach, including among the following persons, to meeting students’ behavioral health needs, addressing related challenges, and providing community services and supports to the students:

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(i) Teachers, school leadership, and student instructional support personnel;

(ii) Local school systems;

(iii) Local community schools;

(iv) Behavioral health coordinators appointed under § 7-447 of this subtitle;

(v) Local health departments;

(vi) Nonprofit hospitals;

(vii) Other youth-serving governmental entities;

(viii) Other local youth-serving community entities;

(ix) Community behavioral health providers;

(x) Telemedicine providers;

(xi) Federally qualified health centers; and

(xii) Students, parents, and guardians.

(6) “Coordinated community supports partnership” means an entity formed to deliver coordinated community supports.

(P) (1) THE COMMISSION SHALL PROCURE A CLOSED-LOOP REFERRAL AND DATA REPORTING PLATFORM.

(Over)

(2) THE CLOSED-LOOP REFERRAL AND DATA REPORTING PLATFORM SHALL:

(I) ENSURE THAT INDIVIDUALS ARE REFERRED TO APPROPRIATE BEHAVIORAL HEALTH SERVICES; AND

(II) ALLOW THE COMMISSION TO ENSURE THAT SERVICES HAVE BEEN RENDERED THROUGH ACCURATE, CONSISTENT, AND TIMELY SUBMISSION OF KEY REPORTING METRICS ASSOCIATED WITH THE CONSORTIUM'S PROGRAMS.

(3) IN PROCURING THE CLOSED-LOOP REFERRAL AND DATA REPORTING PLATFORM, THE COMMISSION SHALL TAKE INTO ACCOUNT THE FOLLOWING:

(I) THE SCALABILITY OF THE PLATFORM;

(II) THE EASE OF IMPLEMENTATION FOR COMMUNITY PROVIDERS;

(III) PERSON-CENTERED LONGITUDINAL RECORDS;

(IV) BI-DIRECTIONAL REFERRAL CAPABILITIES; AND

(V) REPORTING AND ANALYTICS TOOLS AVAILABLE.

[(p)] (Q) (1) In this subsection, "Fund" means the Coordinated Community Supports Partnership Fund.

(2) There is a Coordinated Community Supports Partnership Fund.

(3) The purpose of the Fund is to support the delivery of services and

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supports provided to students to meet their holistic behavioral health needs and address other related challenges.

(4) The Commission shall administer the Fund and the provision of grants AND REIMBURSEMENTS under the Fund.

(5) (i) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.

(ii) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(6) The Fund consists of:

(i) Money appropriated in the State budget to the Fund;

(ii) Interest earnings; and

(iii) Any other money from any other source accepted for the benefit of the Fund.

(7) The Fund may be used [only] by the Commission for:

(i) Providing reimbursement, under a memorandum of understanding, to the National Center for School Mental Health and other technical assistance providers to support the work of the Consortium;

(ii) Providing grants to coordinated community supports partnerships to deliver services and supports to meet students' holistic behavioral health needs and to address other related challenges; [and]

(III) PROVIDING SCHOOL-BASED BEHAVIORAL HEALTH

(Over)

SERVICES; AND

~~[(iii)] (IV)~~ Paying any associated administrative costs.

(8) THE FUND MAY BE USED TO REIMBURSE THE MEDICAL CARE PROGRAMS ADMINISTRATION FOR SCHOOL-BASED BEHAVIORAL HEALTH SERVICES PROVIDED ON A FEE-FOR-SERVICE BASIS THROUGH A MEDICAID WAIVER.

~~[(8)] (9)~~ The Governor shall include in the annual budget bill the following appropriations for the Fund:

(i) \$25,000,000 in fiscal year 2022;

(ii) \$50,000,000 in fiscal year 2023;

(iii) \$85,000,000 in fiscal year 2024;

(iv) \$110,000,000 in fiscal year 2025; and

(v) \$130,000,000 in fiscal year 2026 and each fiscal year thereafter.

~~[(9)] (10)~~ (i) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(ii) Any interest earnings of the Fund shall be credited to the Fund.

~~[(10)] (11)~~ Expenditures from the Fund may be made only in accordance with the State budget.”.

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On page 9, in line 25, strike "PARAGRAPHS (3) AND (4)" and substitute "PARAGRAPH (3)"; and strike line 28 in its entirety.

On page 10, in lines 1, 2, and 3, strike "(i)", "(iii)", and "(iv)", respectively, and substitute "(I)", "(II)", and "(III)", respectively; in line 5, strike "increasing the copayment levels,"; in lines 5 and 20, in each instance, strike "OR"; in lines 6, 7, 20, and 21, in each instance, strike the bracket; in line 19, strike "increase the copayment levels,"; and strike beginning with "ALTER" in line 22 down through "FREEZE" in line 30 and substitute "NOT INCREASE THE COPAYMENT LEVELS OF THE PROGRAM IN EFFECT AS OF JANUARY 1, 2024".

AMENDMENT NO. 7

On page 24, in line 8, strike "16.6%" and substitute "15.5%".

AMENDMENT NO. 8

On pages 26 and 27, strike in their entirety the lines beginning with line 19 on page 26 through line 12 on page 27, inclusive.

AMENDMENT NO. 9

On pages 34 and 35, strike in their entirety the lines beginning with line 15 on page 34 through line 30 on page 35, inclusive.

AMENDMENT NO. 10

On page 35, after line 30, insert:

"11-101.

In the Maryland Vehicle Law, the following words have the meanings indicated, unless the context requires otherwise.

11-102.

(Over)

“Administration” means the Motor Vehicle Administration.

11-103.

“Administrator” means the Motor Vehicle Administrator.

11-125.1.

“Fuel cell electric vehicle” means a motor vehicle that:

- (1) Is made by a manufacturer;
- (2) Is manufactured primarily for use on public streets, roads, and highways;
- (3) Is rated at not more than 8,500 pounds unloaded gross weight;
- (4) Has a maximum speed capability of at least 55 miles per hour;
- (5) Is powered entirely by electricity, produced by combining hydrogen and oxygen, that runs the motor;
- (6) Has an operating range of at least 100 miles; and
- (7) Produces only water vapor and heat as by-products.

11-145.1.

(a) “Plug-in electric drive vehicle” means a motor vehicle that:

- (1) Is made by a manufacturer;
- (2) Is manufactured primarily for use on public streets, roads, and highways;

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(3) Is rated at not more than 8,500 pounds unloaded gross vehicle weight;

(4) Has a maximum speed capability of at least 55 miles per hour; and

(5) Is propelled to a significant extent by an electric motor that draws electricity from a battery that:

(i) Has a capacity of not less than 4 kilowatt-hours for 4-wheeled motor vehicles and not less than 2.5 kilowatt-hours for 2-wheeled or 3-wheeled motor vehicles; and

(ii) Is capable of being recharged from an external source of electricity.

(b) “Plug-in electric drive vehicle” includes a qualifying vehicle that has been modified from original manufacturer specifications.

12-118.

(a) Except as specifically provided by law, all money received under the Maryland Vehicle Law shall be accounted for and remitted to the State Comptroller.

(c) (1) Except as provided in paragraph (2) of this subsection, notwithstanding any other law and in addition to any other exceptions provided by law, all costs, fines, penalties, and forfeitures received by or paid to the District Court under the Maryland Vehicle Law shall be collected and remitted as provided in the Courts Article.

(2) The Comptroller shall distribute revenue from the civil fines collected through use of a work zone speed control system **CONTROLLED BY A STATE AGENCY** under § 21-810 of this article to a special fund, to be used only as provided in subsection (e) of this section.

(e) Money in the special fund established under subsection (c)(2) of this section:

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(1) Shall be distributed first to the Department of State Police and the State Highway Administration to cover the costs of implementing and administering work zone speed control systems; [and]

(2) After the distribution under item (1) of this subsection, 25% OF ANY REMAINING BALANCE shall be distributed to the Department of State Police to be used only for the purchase of replacement vehicles and related motor vehicle equipment used to outfit police vehicles; AND

(3) AFTER THE DISTRIBUTIONS UNDER ITEMS (1) AND (2) OF THIS SUBSECTION, THE REMAINING BALANCE SHALL BE DISTRIBUTED TO THE TRANSPORTATION TRUST FUND FOR:

(I) HIGHWAY AND WORK ZONE SAFETY PURPOSES; AND

(II) STATE HIGHWAY ADMINISTRATION SYSTEM PRESERVATION.

13-410.

(e) (1) During subsequent registration years, the Administrator may order the continued use of registration plates that are valid during any current registration year[, and, after so doing, the Administrator shall issue, at the time a vehicle's registration is renewed, a validation tab to evidence payment of the vehicle's annual registration fee].

(2) [The tab shall be displayed on the plates of the vehicle in the manner that the Administrator requires.

(3) The Administrator from time to time shall evaluate the condition of registration plates issued under this title and may provide for the manufacture and issuance of new registration plates. These new registration plates shall be issued [and subsequently validated] in the manner required by this subtitle.

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13-411.

(d) Except as otherwise expressly permitted by the Maryland Vehicle Law, as to any vehicle required to be registered under this title, a person may not drive the vehicle on any highway in this State, unless there is attached to the vehicle and displayed on it, as required in this title[;

(1) A], A registration plate or plates issued for the vehicle by the Administration for the current registration period[; and

(2) Any validation tab issued for the vehicle under this subtitle].

(e) Except as otherwise expressly permitted by the Maryland Vehicle Law, as to any vehicle required to be registered under this title, the owner of the vehicle may not permit the vehicle to be driven on any highway in this State, unless there is attached to and displayed on the vehicle, as required in this title[;

(1) A], A registration plate or plates issued by the Administration for the current registration period[; and

(2) Any validation tab issued for the vehicle under this subtitle].

13-412.

(a) Except as provided in subsection (b) of this section, [unless current validation tabs have been issued by the Administration and are displayed on the plates as provided in this subtitle,] the registration and the registration plates issued under this title [for them] expire at midnight on the dates indicated on the registration card issued by the Administration.

(b) (1) The Administration may issue a temporary authorization certificate permitting a vehicle to be driven [pending the issuance of current validation tabs].

(Over)

(c) The Administration shall adopt rules and regulations to govern the issuance, display, and expiration of registrations, registration cards, registration plates, AND temporary authorization certificates[, and validation tabs].

13-413.

(a) Notwithstanding any other provision of this subtitle, the Administration may adopt a system of multiyear registration.

(b) Vehicle registration plates [or validation tabs] shall be issued and displayed in accordance with a schedule established by the Administrator.

13-415.

(a) If a current registration card [or current validation tabs that never have been affixed to registration plates are] IS lost, the owner of the vehicle for which the card [or tabs were] WAS issued or the legal representative of the owner named in the certificate of title of the vehicle, as shown by the records of the Administration, immediately shall apply for and, after furnishing information satisfactory to the Administration and payment of the required fee, is entitled to obtain a duplicate registration card [or replacement validation tabs].

(b) If a current registration card [or current validation tabs that never have been affixed to registration plates are] IS stolen, the owner of the vehicle for which the card [or tabs were] WAS issued or the legal representative of the owner named in the certificate of title, as shown by the records of the Administration, immediately shall apply for and, after furnishing information satisfactory to the Administration and payment of the required fee, is entitled to obtain a duplicate registration card [or replacement validation tabs].

(c) If a current registration card [or current validation tabs that never have

been affixed to registration plates are] IS damaged to the extent that the registration card [or validation tabs are] IS illegible, the owner of the vehicle for which the card [or tabs were] WAS issued or the legal representative of the owner named in the certificate of title, as shown by the records of the Administration, immediately shall apply for and, after furnishing information satisfactory to the Administration and payment of the required fee, is entitled to obtain a duplicate registration card [or replacement validation tabs].

(g) Within 48 hours after the loss, theft, or damage to the extent of illegibility of any current registration plate [or any current validation tab that has been affixed to a registration plate], the owner of the vehicle for which the plate [or tab] was issued or the legal representative of the owner named in the certificate of title of the vehicle, as shown by the records of the Administration, shall notify the Administration and apply for replacement registration plates[,] AND a replacement registration card[, and replacement validation tabs]. The Administration shall supply the replacements on receiving information satisfactory to it and payment of the required fee.

(h) On receipt of the replacements, the original registration card and all of the original registration plates [and validation tabs] issued for that vehicle shall be surrendered to the Administration.”.

AMENDMENT NO. 11

On page 43, in line 8, strike “\$193,830,236” and substitute “\$193,474,476”.

AMENDMENT NO. 12

On page 6, after line 29, insert:

“Article – Courts and Judicial Proceedings

7-302.

(e) (2) (i) A citation issued as the result of a vehicle height monitoring system, a traffic control signal monitoring system, [or] a speed monitoring system,

(Over)

[including] OR a work zone speed control system, controlled by a political subdivision, a school bus monitoring camera, or a bus lane monitoring system shall provide that, in an uncontested case, the penalty shall be paid directly to that political subdivision.

(ii) A citation issued as the result of a traffic control signal monitoring system or a work zone speed control system controlled by a State agency, or as a result of a vehicle height monitoring system, a traffic control signal monitoring system, a speed monitoring system, a school bus monitoring camera, or a bus lane monitoring system in a case contested in District Court, shall provide that the penalty shall be paid directly to the District Court.

(4) (i) [Except as provided in paragraph (5) of this subsection, from] FROM the fines collected by a political subdivision as a result of violations enforced by speed monitoring systems, WORK ZONE SPEED CONTROL SYSTEMS, school bus monitoring cameras, or bus lane monitoring systems, a political subdivision:

1. May recover the costs of implementing and administering the speed monitoring systems, WORK ZONE SPEED CONTROL SYSTEMS, school bus monitoring cameras, or bus lane monitoring systems; and

2. Subject to subparagraphs (ii), (iii), and (iv) of this paragraph, may spend any remaining balance solely for public safety purposes, including pedestrian OR HIGHWAY safety programs.”.

AMENDMENT NO. 13

On page 26, after line 2, insert:

“19-101.

In this subtitle, “Commission” means the Maryland Health Care Commission.

19-130.

(a) (1) In this section the following words have the meanings indicated.

(2) “Fund” means the Maryland Trauma Physician Services Fund.

(3) “Maryland Trauma Specialty Referral Centers” means:

(i) The Johns Hopkins Health System Burn Program;

(ii) The Eye Trauma Center at the Wilmer Eye Institute at The Johns Hopkins Hospital; and

(iii) The Curtis National Hand Center at Union Memorial Hospital.

(4) “REASONABLE COMPENSATION EQUIVALENT” MEANS THE LIMITATION ON THE COST ESTABLISHED BY THE CENTERS FOR MEDICARE AND MEDICAID SERVICES THAT A PROVIDER MAY CLAIM FOR COMPENSATION OF SERVICES.

[(4)] (5) “Rehabilitation hospital” means a facility classified as a special rehabilitation hospital as described in § 19–307 of this title that is affiliated with a trauma center by common ownership.

[(5)] (6) (i) “Trauma center” means a facility designated by the Maryland Institute for Emergency Medical Services Systems as:

1. The State primary adult resource center;

2. A Level I trauma center;

3. A Level II trauma center;

4. A Level III trauma center;

5. A pediatric trauma center; or

6. The Maryland Trauma Specialty Referral Centers.

(ii) “Trauma center” includes an out-of-state pediatric trauma center that has entered into an agreement with the Maryland Institute for Emergency Medical Services Systems.

(7) “TRAUMA HEALTH CARE PRACTITIONER” MEANS A HEALTH CARE PRACTITIONER LICENSED UNDER THE HEALTH OCCUPATIONS ARTICLE WHO PROVIDES CARE IN A TRAUMA CENTER OR IN A REHABILITATION HOSPITAL TO TRAUMA PATIENTS ON THE STATE TRAUMA REGISTRY AS DEFINED BY THE MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS.

[(6)] (8) “Trauma physician” means a physician who provides care in a trauma center or in a rehabilitation hospital to trauma patients on the State trauma registry as defined by the Maryland Institute for Emergency Medical Services Systems.

[(7)] (9) “Uncompensated care” means care provided by a trauma physician OR A TRAUMA HEALTH CARE PRACTITIONER to a trauma patient on the State trauma registry who:

(i) Has no health insurance, including Medicare Part B coverage;

(ii) Is not eligible for medical assistance coverage; and

(iii) Has not paid the trauma physician OR TRAUMA HEALTH CARE PRACTITIONER for care provided by the trauma physician OR TRAUMA HEALTH CARE PRACTITIONER, after documented attempts by the trauma physician OR TRAUMA HEALTH CARE PRACTITIONER to collect payment.

(b) (1) There is a Maryland Trauma Physician Services Fund.

(2) The purpose of the Fund is to subsidize the documented costs:

(i) Of uncompensated care incurred by a trauma physician OR A TRAUMA HEALTH CARE PRACTITIONER in providing trauma care to a trauma patient on the State trauma registry;

(ii) Of undercompensated care incurred by a trauma physician OR A TRAUMA HEALTH CARE PRACTITIONER in providing trauma care to an enrollee of the Maryland Medical Assistance Program who is a trauma patient on the State trauma registry;

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(iii) Incurred by a trauma center to maintain trauma physicians on-call as required by the Maryland Institute for Emergency Medical Services Systems;

(iv) Incurred by the State primary adult resource center to maintain trauma surgeons, orthopedic surgeons, neurosurgeons, and anesthesiologists on-call and on standby as required by the Maryland Institute for Emergency Medical Services Systems; and

(v) Incurred by the Commission and the Health Services Cost Review Commission to administer the Fund and audit reimbursement requests to assure appropriate payments are made from the Fund.

(3) The Commission and the Health Services Cost Review Commission shall administer the Fund.

(4) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.

(5) Interest on and other income from the Fund shall be separately accounted for and credited to the Fund, and are not subject to § 6-226(a) of the State Finance and Procurement Article.

(c) The Fund consists of [motor]:

(1) MOTOR vehicle registration surcharges paid into the Fund in accordance with § 13-954(b)(2) of the Transportation Article;

(2) AT LEAST 20% OF THE FINES COLLECTED UNDER § 21-902(A)(1), (B)(2), (C)(2), AND (D)(1) OF THE TRANSPORTATION ARTICLE; AND

(3) ANY OTHER MONEY TRANSFERRED FROM THE GENERAL FUND OF THE STATE.

(d) (1) Disbursements from the Fund shall be made in accordance with a methodology established jointly by the Commission and the Health Services Cost Review Commission to calculate costs incurred by trauma physicians and trauma centers that are eligible to receive reimbursement under subsection (b) of this section.

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(2) The Fund shall transfer to the Maryland Department of Health an amount sufficient to fully cover the State's share of expenditures for the costs of undercompensated care incurred by a trauma physician in providing trauma care to an enrollee of the Maryland Medical Assistance Program who is a trauma patient on the State trauma registry

(3) The methodology developed under paragraph (1) of this subsection shall:

(i) Take into account:

1. The amount of uncompensated care provided by trauma physicians;

2. The amount of undercompensated care attributable to the treatment of Medicaid enrollees in trauma centers;

3. The cost of maintaining trauma physicians on-call;

4. The number of patients served by trauma physicians in trauma centers;

5. The number of Maryland residents served by trauma physicians in trauma centers; and

6. The extent to which trauma-related costs are otherwise subsidized by hospitals, the federal government, and other sources; and

(ii) Include an incentive to encourage hospitals to continue to subsidize trauma-related costs not otherwise included in hospital rates.

(4) The methodology developed under paragraph (1) of this subsection shall use the following parameters to determine the amount of reimbursement made to trauma physicians and trauma centers from the Fund:

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(i) 1. The cost incurred by a Level II trauma center to maintain trauma surgeons, orthopedic surgeons, and neurosurgeons on-call shall be reimbursed:

A. At a rate of up to [30%] 60% of the reasonable [cost equivalents] COMPENSATION EQUIVALENT hourly rate for the specialty, inflated to the current year by the physician compensation component of the Medicare economic index as designated by the Centers for Medicare and Medicaid Services; and

B. For the minimum number of trauma physicians required to be on-call, as specified by the Maryland Institute for Emergency Medical Services Systems in its criteria for Level II trauma centers;

2. The cost incurred by a Level III trauma center to maintain trauma surgeons, orthopedic surgeons, neurosurgeons, and anesthesiologists on-call shall be reimbursed:

A. At a rate of up to [35%] 60% of the reasonable [cost equivalents] COMPENSATION EQUIVALENT hourly rate for the specialty, inflated to the current year by the physician compensation component of the Medicare economic index as designated by the Centers for Medicare and Medicaid Services; and

B. For the minimum number of trauma physicians required to be on-call, as specified by the Maryland Institute for Emergency Medical Services Systems in its criteria for Level III trauma centers;

3. The cost incurred by a Level I trauma center or pediatric trauma center to maintain trauma surgeons, orthopedic surgeons, and neurosurgeons on-call when a post-graduate resident is attending in the trauma center shall be reimbursed:

A. At a rate of up to [30%] 60% of the reasonable [cost equivalents] COMPENSATION EQUIVALENT hourly rate for the specialty, inflated to the current year by the physician compensation component of the Medicare economic index as designated by the Centers for Medicare and Medicaid Services; and

B. When a post-graduate resident is [permitted] AUTHORIZED to be in the trauma center, as specified by the Maryland Institute for

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Emergency Medical Services Systems in its criteria for Level I trauma centers or pediatric trauma centers;

4. The cost incurred by a Maryland Trauma Specialty Referral Center to maintain trauma surgeons on-call in the specialty of the Center when a post-graduate resident is attending in the Center shall be reimbursed;

A. At a rate of up to [30%] **60%** of the reasonable [cost equivalents] **COMPENSATION EQUIVALENT** hourly rate for the specialty, inflated to the current year by the physician compensation component of the Medicare economic index as designated by the Centers for Medicare and Medicaid Services; and

B. When a post-graduate resident is [permitted] **AUTHORIZED** to be in the Center, as specified by the Maryland Institute for Emergency Medical Services Systems in its criteria for a Maryland Trauma Specialty Referral Center; and

5. A. A Level II trauma center is eligible for a maximum of [24,500] **26,280** hours of trauma on-call per year;

B. A Level III trauma center is eligible for a maximum of 35,040 hours of trauma on-call per year;

C. A Level I trauma center shall be eligible for a maximum of 4,380 hours of trauma on-call per year;

D. A pediatric trauma center shall be eligible for a maximum of 4,380 hours of trauma on-call per year; and

E. A Maryland Trauma Specialty Referral Center shall be eligible for a maximum of 2,190 hours of trauma on-call per year;

(ii) The cost of undercompensated care incurred by a trauma physician in providing trauma care to enrollees of the Maryland Medical Assistance Program who are trauma patients on the State trauma registry shall be reimbursed at a rate of up to 100% of the Medicare payment for the service, minus any amount paid by the Maryland Medical Assistance Program;

(iii) The cost of uncompensated care incurred by a trauma physician in providing trauma care to trauma patients on the State trauma registry shall be reimbursed at a rate of 100% of the Medicare payment for the service, minus any recoveries made by the trauma physician for the care;

(iv) The Commission, in consultation with the Health Services Cost Review Commission, may establish a payment rate for uncompensated care incurred by a trauma physician in providing trauma care to trauma patients on the State trauma registry that is above 100% of the Medicare payment for the service if:

1. The Commission determines that increasing the payment rate above 100% of the Medicare payment for the service will address an unmet need in the State trauma system; and

2. The Commission reports on its intention to increase the payment rate to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2-1257 of the State Government Article, at least 60 days before any adjustment to the rate;

(v) The Commission shall develop guidelines for the reimbursement of the documented costs of the State primary adult resource center under subsection (b)(2)(iv) of this section; [and]

(VI) THE COMMISSION, IN CONSULTATION WITH THE HEALTH SERVICES COST REVIEW COMMISSION, MAY CHANGE THE PERCENTAGE OF THE REASONABLE COMPENSATION EQUIVALENT PAID TO TRAUMA HOSPITALS IF:

1. THE COMMISSION DETERMINES THAT THE PROJECTED REVENUE TO BE COLLECTED IN THE FUND IS ADEQUATE TO SUPPORT THE PROPOSED INCREASE IN THE PERCENTAGE OF REASONABLE COMPENSATION EQUIVALENT INFLATED TO THE CURRENT YEAR BY THE PHYSICIAN COMPENSATION COMPONENT OF THE MEDICARE ECONOMIC INDEX; AND

2. THE COMMISSION REPORTS ON ITS INTENTION TO CHANGE THE PERCENTAGE OF REASONABLE COMPENSATION EQUIVALENT TO BE

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PAID FOR ON-CALL COSTS TO THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, AT LEAST 60 DAYS BEFORE ANY ADJUSTMENT TO THE ALLOWABLE HOURS;

(VII) THE COMMISSION, IN CONSULTATION WITH THE HEALTH SERVICES COST REVIEW COMMISSION, MAY CHANGE THE NUMBER OF ALLOWABLE HOURS OF TRAUMA ON-CALL EACH YEAR IF THE COMMISSION REPORTS ON ITS INTENTION TO CHANGE THE NUMBER OF ALLOWABLE HOURS TO THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, AT LEAST 60 DAYS BEFORE ANY ADJUSTMENT TO THE ALLOWABLE HOURS;

(VIII) THE COMMISSION MAY MODIFY THE PERCENTAGE PAID FOR ON-CALL OUT OF THE MAXIMUM NUMBER OF HOURS ALLOWED FOR ON-CALL CARE NOT MORE THAN ONCE EACH YEAR; AND

[(vi)] (IX) The total reimbursement to emergency physicians from the Fund may not exceed \$300,000 annually.

(5) In order to receive reimbursement, a trauma physician OR A TRAUMA HEALTH CARE PRACTITIONER in the case of costs of uncompensated care under subsection (b)(2)(i) of this section, or a trauma center in the case of on-call costs under subsection (b)(2)(iii) of this section, shall apply to the Fund on a form and in a manner approved by the Commission and the Health Services Cost Review Commission.

(6) (i) The Commission and the Health Services Cost Review Commission shall adopt regulations that specify the information that trauma physicians, TRAUMA HEALTH CARE PRACTITIONERS, and trauma centers must submit to receive money from the Fund.

(ii) The information required shall include:

1. The name and federal tax identification number of the trauma physician rendering the service;

2. The date of the service;
3. Appropriate codes describing the service;
4. Any amount recovered for the service rendered;
5. The name of the trauma patient;
6. The patient's trauma registry number; and
7. Any other information the Commission and the Health Services Cost Review Commission consider necessary to disburse money from the Fund.

(iii) It is the intent of the General Assembly that trauma physicians, TRAUMA HEALTH CARE PRACTITIONERS, and trauma centers shall cooperate with the Commission and the Health Services Cost Review Commission by providing information required under this paragraph in a timely and complete manner.

(e) (1) Except as provided in paragraph (2) of this subsection and notwithstanding any other provision of law, expenditures from the Fund for costs incurred in any fiscal year may not exceed revenues of the Fund.

(2) (i) The Commission, in consultation with the Health Services Cost Review Commission and the Maryland Institute for Emergency Medical Services Systems, shall develop a process for the award of grants to LEVEL I, Level II, and Level III trauma centers [in the State to be used for equipment primarily used] in the delivery of trauma care.

(ii) 1. The Commission shall issue grants under this paragraph from any balance carried over to the Fund from prior fiscal years.

2. The total amount of grants awarded under this paragraph in a fiscal year may not exceed 10% of the balance remaining in the Fund at the end of the fiscal year immediately prior to the fiscal year in which grants are awarded.

(iii) The process developed by the Commission for the award of grants under this paragraph shall include:

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1. Grant applications and review and selection criteria for the award of grants;

2. Review by the Commission, if necessary, for any project that exceeds certificate of need thresholds; and

3. Any other procedure determined necessary by the Commission.

(iv) Before awarding grants under this subsection in a fiscal year, the Commission shall report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2–1257 of the State Government Article, on the process that the Commission has developed for awarding grants in that fiscal year.

(f) On or before November 1 of each year, the Commission and the Health Services Cost Review Commission shall report to the General Assembly, in accordance with § 2–1257 of the State Government Article, on:

(1) The amount of money in the Fund on the last day of the previous fiscal year;

(2) The amount of money applied for by trauma physicians, **TRAUMA HEALTH CARE PRACTITIONERS**, and trauma centers during the previous fiscal year;

(3) The amount of money distributed in the form of trauma physician, **TRAUMA HEALTH CARE PRACTITIONER**, and trauma center reimbursements during the previous fiscal year;

(4) Any recommendations for altering the manner in which trauma physicians, **TRAUMA HEALTH CARE PRACTITIONERS**, and trauma centers are reimbursed from the Fund;

(5) The costs incurred in administering the Fund during the previous fiscal year; [and]

(6) The amount that each hospital that participates in the Maryland trauma system and that has a trauma center contributes toward the subsidization of trauma-related costs for its trauma center;

(7) THE AMOUNT THE HEALTH SERVICES COST REVIEW COMMISSION ALLOWED:

(I) IN HOSPITAL RATES FOR TRAUMA STANDBY;

(II) IN ALLOWABLE TRAUMA CENTER COSTS FOR REIMBURSING THE TRAUMA DIRECTOR AND TRAUMA STAFF;

(III) FOR MAINTAINING MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS TRAUMA PROTOCOLS;

(IV) FOR MAINTAINING SPECIALIZED TRAUMA STAFF;

(V) FOR PROCURING SPECIALIZED TRAUMA EQUIPMENT;

AND

(VI) FOR PROVIDING TRAUMA EDUCATION AND TRAINING;

AND

(8) ANY OTHER IMPROVEMENTS MADE BY TRAUMA CENTERS AS A RESULT OF THE INCREASED FUNDING.

(G) THE COMMISSION SHALL AWARD AN ANNUAL GRANT FROM THE FUND IN THE AMOUNT OF \$1,800,000 TO LEVEL I PEDIATRIC TRAUMA CENTERS AS FOLLOWS:

(1) \$900,000 TO JOHNS HOPKINS CHILDREN'S CENTER; AND

(2) \$900,000 TO CHILDREN'S NATIONAL MEDICAL CENTER.”.

AMENDMENT NO. 14

On page 33, after line 11 insert:

(Over)

“10-402.1.

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

(2) “COMBINED GROUP” MEANS A GROUP OF CORPORATIONS:

(I) THAT IS ENGAGED IN A UNITARY BUSINESS;

(II) IN WHICH MORE THAN 50% OF THE VOTING STOCK OF EACH MEMBER IS DIRECTLY OR INDIRECTLY OWNED BY:

1. A COMMON OWNER OR COMMON OWNERS, EITHER CORPORATE OR NONCORPORATE; OR

2. ONE OR MORE MEMBER CORPORATIONS OF THE GROUP;

(III) THE MEMBERS OF WHICH ARE SUBJECT TO THE INCOME TAX OR WOULD BE SUBJECT TO THE INCOME TAX IF DOING BUSINESS IN THE STATE; AND

(IV) CONSISTING OF ANY OTHER MEMBERS UNDER THE CIRCUMSTANCES AND TO THE EXTENT PROVIDED IN REGULATIONS ADOPTED BY THE COMPTROLLER TO PREVENT THE AVOIDANCE OF TAX OR TO REFLECT CLEARLY THE INCOME OF ANY MEMBER OF THE COMBINED GROUP FOR ANY PERIOD.

(3) “COMBINED RETURN” MEANS A TAX RETURN FOR THE COMBINED GROUP CONTAINING INFORMATION AS PROVIDED IN THIS SECTION OR OTHERWISE REQUIRED BY THE COMPTROLLER.

(4) “UNITARY BUSINESS” MEANS A SINGLE ECONOMIC ENTERPRISE THAT IS MADE EITHER OF SEPARATE PARTS OF A SINGLE BUSINESS

ENTITY OR OF A COMMONLY CONTROLLED GROUP OF BUSINESS ENTITIES THAT ARE SUFFICIENTLY INTERDEPENDENT, INTEGRATED, AND INTERRELATED THROUGH THEIR ACTIVITIES SO AS TO PROVIDE MUTUAL BENEFIT THAT PRODUCES A SHARING OR EXCHANGE OF VALUE AMONG THEM AND A SIGNIFICANT FLOW OF VALUE TO THE SEPARATE PARTS.

(B) (1) THE TERM “UNITARY BUSINESS” SHALL BE CONSTRUED TO THE BROADEST EXTENT ALLOWED UNDER THE U.S. CONSTITUTION.

(2) A BUSINESS CONDUCTED DIRECTLY OR INDIRECTLY BY ONE CORPORATION IS A UNITARY BUSINESS WITH RESPECT TO THAT PORTION OF A BUSINESS CONDUCTED BY ANOTHER CORPORATION THROUGH ITS DIRECT OR INDIRECT INTEREST IN A PARTNERSHIP IF THE REQUIREMENTS OF SUBSECTION (A)(4) OF THIS SECTION ARE SATISFIED, INCLUDING IF THERE IS SYNERGY AND AN EXCHANGE AND FLOW OF VALUE BETWEEN THE TWO PARTS OF THE BUSINESS AND THE TWO CORPORATIONS ARE MEMBERS OF THE SAME COMMONLY CONTROLLED GROUP.

(3) A BUSINESS CONDUCTED BY A PARTNERSHIP SHALL BE TREATED AS CONDUCTED BY ITS PARTNERS, WHETHER DIRECTLY HELD OR INDIRECTLY HELD THROUGH A SERIES OF PARTNERSHIPS, TO THE EXTENT OF THE PARTNER’S DISTRIBUTIVE SHARE OF THE PARTNERSHIP’S INCOME, REGARDLESS OF THE PERCENTAGE OF THE PARTNER’S OWNERSHIP INTEREST OR ITS DISTRIBUTIVE OR ANY OTHER SHARE OF PARTNERSHIP INCOME.

(C) (1) EXCEPT AS PROVIDED BY AND SUBJECT TO REGULATIONS ADOPTED BY THE COMPTROLLER, FOR ALL TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 2027, A CORPORATION ENGAGED IN A UNITARY BUSINESS SHALL FILE A COMBINED RETURN, REPORTING AND PAYING TAX ON WORLDWIDE TAXABLE INCOME AS A COMBINED GROUP, REFLECTING THE AGGREGATE INCOME TAX LIABILITY OF ALL MEMBERS OF THE COMBINED GROUP THAT ARE ENGAGED IN A UNITARY BUSINESS.

(2) THE TAXABLE INCOME OF A CORPORATION REQUIRED TO FILE UNDER § 10-811(A)(2) OF THIS TITLE IS EQUAL TO THE COMBINED GROUP’S

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MARYLAND MODIFIED INCOME AS ADJUSTED UNDER SUBSECTION (D)(3) OF THIS SECTION.

(D) (1) THE MARYLAND MODIFIED INCOME OF THE COMBINED GROUP EQUALS THE PRODUCT OF:

(I) THE COMBINED GROUP'S APPORTIONABLE MARYLAND MODIFIED INCOME, AS DETERMINED UNDER PARAGRAPH (2) OF THIS SUBSECTION AND ADJUSTED UNDER PARAGRAPH (3) OF THIS SUBSECTION; AND

(II) THE COMBINED GROUP'S MARYLAND APPORTIONMENT FACTOR, AS DETERMINED UNDER PARAGRAPH (4) OF THIS SUBSECTION.

(2) (I) SUBJECT TO SUBPARAGRAPHS (II) THROUGH (IV) OF THIS PARAGRAPH, THE APPORTIONABLE MARYLAND MODIFIED INCOME OF THE COMBINED GROUP EQUALS THE SUM OF THE CORPORATION'S AND EACH MEMBER'S MARYLAND MODIFIED INCOME.

(II) 1. SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, FOR ANY MEMBER INCORPORATED IN THE UNITED STATES OR INCLUDED IN A CONSOLIDATED FEDERAL CORPORATE INCOME TAX RETURN, THE INCOME TO BE INCLUDED IN THE TOTAL APPORTIONABLE INCOME OF THE COMBINED GROUP IS THE MARYLAND MODIFIED INCOME AS CALCULATED UNDER § 10-304 OF THIS TITLE.

2. THE INCOME OF EACH MEMBER SHALL BE CALCULATED ON A SEPARATE RETURN BASIS AS IF THE MEMBER WERE NOT CONSOLIDATED FOR FEDERAL INCOME TAX PURPOSES.

(III) 1. FOR ANY MEMBER NOT INCLUDED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE INCOME TO BE INCLUDED IN THE TOTAL INCOME OF THE COMBINED GROUP IS DETERMINED AS PROVIDED UNDER THIS SUBPARAGRAPH.

2. A PROFIT AND LOSS STATEMENT SHALL BE

PREPARED FOR EACH FOREIGN BRANCH OR CORPORATION IN THE CURRENCY IN WHICH THE BOOKS OF ACCOUNT OF THE BRANCH OR CORPORATION ARE REGULARLY MAINTAINED.

3. THE PROFIT AND LOSS STATEMENT SHALL BE ADJUSTED TO CONFORM TO GENERALLY ACCEPTED ACCOUNTING PRINCIPLES AS ADOPTED BY THE U.S. FINANCIAL ACCOUNTING STANDARDS BOARD FOR THE PREPARATION OF THE PROFIT AND LOSS STATEMENTS, EXCEPT AS MODIFIED BY REGULATION.

4. EXCEPT AS OTHERWISE PROVIDED BY REGULATION, THE PROFIT AND LOSS STATEMENT OF EACH MEMBER OF THE COMBINED GROUP, AND THE APPORTIONMENT FACTORS RELATED TO EACH STATEMENT, WHETHER UNITED STATES OR FOREIGN, SHALL BE TRANSLATED INTO THE CURRENCY IN WHICH THE PARENT COMPANY MAINTAINS ITS BOOKS AND RECORDS.

5. INCOME APPORTIONED TO THE STATE SHALL BE EXPRESSED IN UNITED STATES DOLLARS.

(IV) IF A UNITARY BUSINESS INCLUDES INCOME FROM A PARTNERSHIP, THE INCOME TO BE INCLUDED IN THE TOTAL INCOME OF THE COMBINED GROUP EQUALS THE DIRECT AND INDIRECT DISTRIBUTIVE SHARE OF THE PARTNERSHIP'S UNITARY BUSINESS INCOME ALLOCATED TO ANY MEMBER OF THE COMBINED GROUP.

(3) THE COMBINED GROUP'S APPORTIONABLE MARYLAND MODIFIED INCOME SHALL BE ADJUSTED TO ELIMINATE INTERCOMPANY TRANSACTIONS AS DETERMINED UNDER THE INTERNAL REVENUE CODE.

(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COMBINED GROUP'S MARYLAND APPORTIONMENT FACTOR IS A FRACTION:

1. THE NUMERATOR OF WHICH IS THE SUM OF THE CORPORATION'S AND EACH MEMBER'S MARYLAND FACTORS UNDER § 10-402 OF

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THIS SUBTITLE; AND

2. THE DENOMINATOR OF WHICH IS THE SUM OF THE CORPORATION'S AND EACH MEMBER'S FACTORS UNDER § 10-402 OF THIS SUBTITLE.

(II) THE APPORTIONMENT FACTORS OF PASS-THROUGH ENTITY MEMBERS ARE INCLUDED IN THE NUMERATOR UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH AND THE DENOMINATOR UNDER SUBPARAGRAPH (I)2 OF THIS PARAGRAPH TO THE EXTENT OF THE CORPORATION'S DIRECT AND INDIRECT DISTRIBUTIVE SHARE OF THAT ENTITY.

(E) (1) THE COMPTROLLER SHALL ADOPT REGULATIONS THAT ARE NECESSARY AND APPROPRIATE TO CARRY OUT THIS SECTION.

(2) THE REGULATIONS ADOPTED BY THE COMPTROLLER SHALL BE CONSISTENT WITH THE "PRINCIPLES FOR DETERMINING THE EXISTENCE OF A UNITARY BUSINESS" (REG. IV.1.(B)) OF THE MODEL GENERAL ALLOCATION AND APPORTIONMENT REGULATIONS, AS ADOPTED BY THE MULTISTATE TAX COMMISSION.

10-811.

(A) [Each] FOR ALL TAXABLE YEARS BEGINNING BEFORE JANUARY 1, 2028, EACH member of an affiliated group of corporations shall file a separate income tax return.

(B) (1) EXCEPT AS PROVIDED BY AND SUBJECT TO REGULATIONS ADOPTED BY THE COMPTROLLER, FOR ALL TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 2027, AN AFFILIATED GROUP OF CORPORATIONS ENGAGED IN A UNITARY BUSINESS SHALL FILE A COMBINED INCOME TAX RETURN REFLECTING THE AGGREGATE INCOME TAX LIABILITY OF ALL THE MEMBERS OF THE AFFILIATED GROUP THAT ARE ENGAGED IN A UNITARY BUSINESS.

(2) THE RETURN REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE THE INCOME AND APPORTIONMENT FACTORS

DETERMINED UNDER § 10-402.1(D) OF THIS TITLE, AND ANY OTHER INFORMATION REQUIRED BY THE COMPTROLLER, FOR ALL MEMBERS OF THE COMBINED GROUP WHEREVER LOCATED OR DOING BUSINESS.

(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COMBINED RETURN SHALL BE FILED UNDER THE NAME AND FEDERAL EMPLOYER IDENTIFICATION NUMBER OF THE PARENT CORPORATION IF THE PARENT IS A MEMBER OF THE COMBINED GROUP.

(II) IF THERE IS NO PARENT CORPORATION OR IF THE PARENT IS NOT A MEMBER OF THE COMBINED GROUP, THE MEMBERS OF THE COMBINED GROUP SHALL CHOOSE A MEMBER TO FILE THE RETURN.

(III) THE FILING MEMBER UNDER SUBPARAGRAPH (I) OR (II) OF THIS PARAGRAPH SHALL CONTINUE TO FILE THE COMBINED RETURN UNLESS THE FILING MEMBER IS NO LONGER THE PARENT CORPORATION OR NO LONGER A MEMBER OF THE COMBINED GROUP.

(4) THE RETURN SHALL BE SIGNED BY A RESPONSIBLE OFFICER OF THE FILING MEMBER ON BEHALF OF THE COMBINED GROUP MEMBERS.

(5) MEMBERS OF THE COMBINED GROUP ARE JOINTLY AND SEVERALLY LIABLE FOR THE TAX LIABILITY OF THE COMBINED GROUP INCLUDED IN THE COMBINED RETURN.

(C) (1) THE COMPTROLLER MAY, BY REGULATION, REQUIRE THAT THE COMBINED RETURN REQUIRED UNDER SUBSECTION (B) OF THIS SECTION INCLUDE THE INCOME AND ASSOCIATED APPORTIONMENT FACTORS OF ENTITIES THAT ARE NOT INCLUDED IN THE COMBINED REPORT BUT THAT ARE MEMBERS OF A UNITARY BUSINESS IN ORDER TO REFLECT PROPER APPORTIONMENT OF INCOME OF THE ENTIRE UNITARY BUSINESS.

(2) IF THE COMPTROLLER DETERMINES THAT THE REPORTED INCOME OR LOSS OF A TAXPAYER ENGAGED IN A UNITARY BUSINESS WITH A MEMBER NOT INCLUDED IN THE COMBINED GROUP REPRESENTS AN AVOIDANCE OR EVASION OF TAX, THE COMPTROLLER MAY, ON A CASE-BY-CASE BASIS,

(Over)

REQUIRE THAT ALL OR PART OF THE INCOME AND ASSOCIATED APPORTIONMENT FACTORS OF THE MEMBER BE INCLUDED IN THE TAXPAYER'S COMBINED RETURN.

(3) THE COMPTROLLER MAY REQUIRE:

(I) THE EXCLUSION OF ONE OR MORE FACTORS, THE INCLUSION OF ONE OR MORE ADDITIONAL FACTORS, OR THE EMPLOYMENT OF ANY OTHER METHOD THAT WILL FAIRLY REPRESENT THE TAXPAYER'S BUSINESS IN THE STATE; OR

(II) THE EMPLOYMENT OF ANY OTHER METHOD TO EFFECTUATE A PROPER REFLECTION OF THE TOTAL AMOUNT OF INCOME SUBJECT TO APPORTIONMENT AND AN EQUITABLE ALLOCATION AND APPORTIONMENT OF THE COMBINED GROUP'S OR ITS MEMBERS' INCOME.

(D) THE COMPTROLLER SHALL ADOPT REGULATIONS THAT ARE NECESSARY AND APPROPRIATE TO CARRY OUT THIS SECTION."

AMENDMENT NO. 15

On page 28, after line 7, insert:

"Article - Public Utilities

10-408.

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

(2) "SHARED PASSENGER TRIP" MEANS A PREARRANGED RIDE FOR WHICH THE PASSENGER AGREES, AT THE TIME THE PASSENGER REQUESTS THE RIDE THROUGH A TRANSPORTATION NETWORK COMPANY'S DIGITAL NETWORK APPLICATION, TO BE TRANSPORTED WITH ANOTHER PASSENGER WHO HAS SEPARATELY REQUESTED A PREARRANGED RIDE REGARDLESS OF WHETHER ANOTHER PASSENGER IS TRANSPORTED.

(3) "TRANSPORTATION NETWORK COMPANY IMPACT FEE" MEANS THE FEE IMPOSED BY THE STATE UNDER THIS SECTION ON EACH TRANSPORTATION NETWORK SERVICE THAT INCLUDES A PASSENGER TRIP DURING TRANSPORTATION NETWORK COVERAGE PERIOD THREE AS DESCRIBED IN § 10-101(N)(1)(III) OF THIS TITLE.

(B) (1) THERE IS A TRANSPORTATION NETWORK COMPANY IMPACT FEE ON PASSENGER TRIPS THAT ORIGINATE IN THE STATE.

(2) A TRANSPORTATION NETWORK COMPANY SHALL COLLECT THE TRANSPORTATION NETWORK COMPANY IMPACT FEE.

(3) (I) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION AND EXCEPT AS PROVIDED IN SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH, THE TRANSPORTATION NETWORK COMPANY IMPACT FEE IS 75 CENTS FOR EACH PASSENGER TRIP.

(II) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE TRANSPORTATION NETWORK COMPANY IMPACT FEE FOR A PASSENGER TRIP PROVIDED USING A FUEL CELL ELECTRIC VEHICLE OR A PLUG-IN ELECTRIC DRIVE VEHICLE, AS THOSE TERMS ARE DEFINED IN TITLE 11, SUBTITLE 1 OF THE TRANSPORTATION ARTICLE, IS 50 CENTS FOR EACH PASSENGER TRIP.

(III) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE TRANSPORTATION NETWORK COMPANY IMPACT FEE IS 50 CENTS FOR EACH SHARED PASSENGER TRIP.

(4) (I) 1. IN THIS SUBPARAGRAPH, "CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS" MEANS THE INDEX PUBLISHED MONTHLY BY THE BUREAU OF LABOR STATISTICS OF THE U.S. DEPARTMENT OF LABOR THAT IS THE U.S. CITY AVERAGE OF ALL ITEMS IN A BASKET OF CONSUMER GOODS AND SERVICES.

2. THE PERCENTAGE GROWTH IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS SHALL BE DETERMINED BY

(Over)

COMPARING THE AVERAGE OF THE INDEX FOR THE 12 MONTHS ENDING ON THE PRECEDING APRIL 30 TO THE AVERAGE OF THE INDEX FOR THE PRIOR 12 MONTHS.

(II) THE TRANSPORTATION NETWORK COMPANY IMPACT FEE SHALL BE INCREASED ON JULY 1, 2028, AND ON JULY 1 EACH SUBSEQUENT YEAR IN ACCORDANCE WITH THIS PARAGRAPH.

(III) ON OR BEFORE JUNE 1 EACH YEAR, THE COMPTROLLER SHALL DETERMINE AND ANNOUNCE:

1. THE GROWTH IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS AS DETERMINED BY THE COMPTROLLER UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH; AND

2. THE TRANSPORTATION NETWORK COMPANY IMPACT FEE EFFECTIVE FOR THE FISCAL YEAR BEGINNING ON THE FOLLOWING JULY 1 AS DETERMINED BY THE COMPTROLLER UNDER SUBPARAGRAPH (IV) OF THIS PARAGRAPH.

(IV) SUBJECT TO SUBPARAGRAPH (V) OF THIS PARAGRAPH, ON JULY 1 EACH YEAR, THE TRANSPORTATION NETWORK COMPANY IMPACT FEE SHALL BE INCREASED BY THE AMOUNT, ROUNDED TO THE NEAREST ONE-TENTH OF A CENT, THAT EQUALS THE PRODUCT OF MULTIPLYING:

1. THE TRANSPORTATION NETWORK COMPANY IMPACT FEE IN EFFECT ON THE DATE OF THE COMPTROLLER'S ANNOUNCEMENT UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH; AND

2. THE PERCENTAGE GROWTH IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS.

(V) 1. IF THERE IS A DECLINE OR NO GROWTH IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS, THE TRANSPORTATION NETWORK COMPANY IMPACT FEE SHALL REMAIN UNCHANGED.

2. ANY INCREASE IN THE TRANSPORTATION NETWORK COMPANY IMPACT FEE UNDER SUBPARAGRAPH (IV) OF THIS PARAGRAPH MAY NOT BE GREATER THAN 8% OF THE TRANSPORTATION NETWORK COMPANY IMPACT FEE EFFECTIVE IN THE PREVIOUS YEAR.

(C) (1) A TRANSPORTATION NETWORK COMPANY SHALL EITHER:

(I) COLLECT THE TRANSPORTATION NETWORK COMPANY IMPACT FEE FROM A PASSENGER ON BEHALF OF A TRANSPORTATION NETWORK OPERATOR; OR

(II) PAY THE TRANSPORTATION NETWORK COMPANY IMPACT FEE ON BEHALF OF A PASSENGER.

(2) IF A TRANSPORTATION NETWORK COMPANY COLLECTS THE TRANSPORTATION NETWORK COMPANY IMPACT FEE FROM THE PASSENGER:

(I) THE TRANSPORTATION NETWORK COMPANY IMPACT FEE SHALL BE CHARGED IN ADDITION TO ANY OTHER TAX OR FEE; AND

(II) THE TRANSPORTATION NETWORK COMPANY SHALL SHOW THE IMPACT FEE AS A SEPARATE LINE ITEM ON THE PASSENGER'S RECEIPT, INVOICE, OR OTHER BILL OF SALE, DISTINCT FROM THE TRANSACTION PRICE AND ANY OTHER TAX OR FEE IMPOSED.

(3) THE RECEIPT, INVOICE, OR OTHER BILL OF SALE SHALL LIST THE IMPACT FEE AS "TRANSPORTATION NETWORK COMPANY IMPACT FEE".

(4) A TRANSPORTATION NETWORK COMPANY THAT PAYS THE TRANSPORTATION NETWORK COMPANY IMPACT FEE ON BEHALF OF A PASSENGER SHALL REMIT THE FEE TO THE COMPTROLLER AS IF THE FEE HAD BEEN COLLECTED FROM THE PASSENGER ON THE DATE OF THE PASSENGER TRIP.

(D) (1) A TRANSPORTATION NETWORK COMPANY SHALL:

(Over)

(I) REPORT THE TRANSPORTATION NETWORK COMPANY IMPACT FEE ON A FORM PRESCRIBED BY THE COMPTROLLER; AND

(II) REMIT THE TRANSPORTATION NETWORK COMPANY IMPACT FEE TO THE COMPTROLLER NOT LATER THAN 30 DAYS AFTER THE END OF A CALENDAR QUARTER, OR AS OTHERWISE SPECIFIED BY THE COMPTROLLER IN REGULATIONS.

(2) FOR THE EXPENSE OF REPORTING AND REMITTING THE TRANSPORTATION NETWORK COMPANY FEE THE TRANSPORTATION NETWORK COMPANY MAY RETAIN THE LESSER OF 0.9% OF THE AMOUNT THE TRANSPORTATION NETWORK COMPANY REMITS UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION OR \$250.

(E) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE AUDIT, ASSESSMENT, LIABILITY FOR PAYMENT, REFUND, PENALTY, INTEREST, ENFORCEMENT, COLLECTION REMEDIES, APPEAL, AND ADMINISTRATIVE PROVISIONS THAT ARE APPLICABLE TO AN ASSESSMENT IMPOSED UNDER § 10-406 OF THIS SUBTITLE APPLY TO THE TRANSPORTATION NETWORK COMPANY IMPACT FEE.

(F) (1) FROM THE TRANSPORTATION NETWORK COMPANY IMPACT FEE REVENUE, THE COMPTROLLER SHALL DISTRIBUTE THE AMOUNT NECESSARY TO PAY REFUNDS RELATING TO THE TRANSPORTATION NETWORK COMPANY IMPACT FEE TO A REFUND ACCOUNT.

(2) AFTER MAKING THE DISTRIBUTION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COMPTROLLER SHALL DISTRIBUTE THE AMOUNT NECESSARY TO ADMINISTER THE TRANSPORTATION NETWORK COMPANY IMPACT FEE TO AN ADMINISTRATIVE COST ACCOUNT.

(3) AFTER MAKING THE DISTRIBUTIONS REQUIRED UNDER PARAGRAPHS (1) AND (2) OF THIS SUBSECTION, THE COMPTROLLER SHALL DEPOSIT THE BALANCE OF THE REVENUE FROM THE TRANSPORTATION

NETWORK COMPANY IMPACT FEE IN THE TRANSPORTATION NETWORK
COMPANY IMPACT FEE ACCOUNT IN THE TRANSPORTATION TRUST FUND.

(G) THE COMPTROLLER MAY ADOPT REGULATIONS OR OTHER
REQUIREMENTS OR PROCEDURES TO CARRY OUT THIS SECTION, INCLUDING
REQUIREMENTS AND PROCEDURES REGARDING THE ADMINISTRATION,
COLLECTION, AND ENFORCEMENT OF THE TRANSPORTATION NETWORK
COMPANY IMPACT FEE.

(H) THIS SECTION MAY NOT BE CONSTRUED TO HAVE ANY EFFECT ON AN
ASSESSMENT IMPOSED UNDER § 10-406 OF THIS SUBTITLE.”.

On page 33, after line 11, insert:

“11-101.

_____ (l) (3) "Taxable price" does not include:

_____ (ii) the value of a used component or part (core value) received
from a purchaser of the following remanufactured truck parts:

_____ 1. an air brake system;

_____ 2. an engine;

_____ 3. a rear axle carrier; or

_____ 4. a transmission; [or]

_____ (iii) a charge for a nontaxable service that is made in connection
with a sale of a taxable communication service, even if the nontaxable charges are
aggregated with and not separately stated from the taxable charges for communications
services, if the vendor can reasonably identify charges not subject to tax from its books
and records that are kept in the regular course of business; OR

_____ (IV) A TRANSPORTATION NETWORK COMPANY IMPACT FEE
IMPOSED UNDER § 10-408 OF THE PUBLIC UTILITIES ARTICLE.”.

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AMENDMENT NO. 16

On page 33, after line 12, insert:

“3-215.

(a) (1) For the purpose of paying the principal of and interest on consolidated transportation bonds as they become due and payable, there is hereby levied and imposed an annual tax that consists of the taxes specified in this section and, to the extent necessary and except as otherwise provided in this subsection, that shall be used and applied exclusively for that purpose.

(2) The required use and application of the tax under paragraph (1) of this subsection is subject only to the prior use and application of one or all or any combination of the taxes specified in this section to meet the debt service on all of the following bonds while they are outstanding and unpaid and to the payment of which any part of those taxes has been pledged:

(i) Bonds of prior issues; and

(ii) Bonds of any series of county transportation bonds issued under Subtitle 3 of this title.

(b) The tax levied and imposed by this section consists of that part of the following taxes that are retained to the credit of the Department after distributions to the political subdivisions:

(1) The motor fuel tax revenue distributed under §§ 2-1103(2), 2-1103(3), and 2-1104(a)(3) of the Tax - General Article;

(2) The motor fuel tax revenue attributable to the sales and use tax equivalent rate imposed under § 9-306 of the Tax - General Article and distributed under § 2-1103(4) of the Tax - General Article;

(3) The income tax revenue distributed under § 2-614 of the Tax – General Article;

(4) The excise tax imposed on vehicles by Part II of Title 13, Subtitle 8 of this article; [and]

(5) The sales and use tax revenues distributed under § 2-1302.1 of the Tax – General Article; AND

(6) THE TRANSPORTATION NETWORK COMPANY IMPACT FEE REVENUES ALLOCATED UNDER § 3-216(D)(5)(I)1 OF THIS SUBTITLE.

(c) As long as any consolidated transportation bonds are outstanding and unpaid, and except as provided in § 3-104 of this title, there shall be deposited and maintained in a sinking fund to be maintained by the State Treasurer to secure the payment of the principal of and interest on the bonds, annually or more often, as received, so much of the proceeds of the tax levied and imposed under this section, together with all other funds received by the Department and credited to the Transportation Trust Fund, as are necessary to maintain in the sinking fund a sum equal to the amount required to pay the principal of and interest on the outstanding and unpaid bonds that will become due and payable in the current calendar year and the next succeeding calendar year.

(d) The tax levied and imposed by this section is irrevocably pledged to the payment of the principal of and interest on consolidated transportation bonds as they become due and payable, and no part of the tax or other funds applicable to debt service on the bonds may be repealed, diminished, or applied to any other purpose until:

(1) The bonds and the interest on them have become due and fully paid;
or

(2) Adequate and complete provision for payment of the principal and interest has been made.

(e) (1) In this subsection "government obligations" means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America.

(2) Adequate and complete provision for payment of the principal and interest of any issue or series of consolidated transportation bonds may be made by the Secretary and the State Treasurer by making a transfer of government obligations from

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the Transportation Trust Fund to the State Treasurer or to a bank or trust company as escrow fund agent in an amount which, together with the income due thereon, will be sufficient to pay in full when due the maturing principal of and interest on the consolidated transportation bonds.

(3) To the extent that adequate and complete provision has been made for the payment of consolidated transportation bonds under this title those bonds shall no longer be deemed to be outstanding and unpaid under this title.

3-216.

(a) There is a Transportation Trust Fund for the Department.

(c) (2) (i) The Gasoline and Motor Vehicle Revenue Account, the Driver Education Account, [and] the Motorcycle Safety Program Account, AND THE TRANSPORTATION NETWORK COMPANY IMPACT FEE ACCOUNT shall be maintained in the Transportation Trust Fund.

(d) (5) (I) THE DEPARTMENT SHALL ALLOCATE THE FUNDS IN THE TRANSPORTATION NETWORK COMPANY IMPACT FEE ACCOUNT FOR THE FOLLOWING PURPOSES, IN THE MANNER THE DEPARTMENT DETERMINES IS APPROPRIATE:

1. CAPITAL NEEDS IDENTIFIED IN THE ASSESSMENT CONDUCTED UNDER § 7-309 OF THIS ARTICLE; AND

2. DISTRIBUTION TO COUNTIES AND MUNICIPALITIES FOR THE PURPOSES SPECIFIED IN § 8-408 OF THIS ARTICLE.

(II) IF ANY FUNDS REMAIN IN THE TRANSPORTATION NETWORK COMPANY IMPACT FEE ACCOUNT AFTER THE ALLOCATIONS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE DEPARTMENT SHALL ALLOCATE THE REMAINING FUND BALANCE TO THE LOCALLY OPERATED TRANSIT SYSTEM GRANT PROGRAM UNDER § 4-322 OF THIS ARTICLE.”

On page 38, after line 13, insert:

“13–809.

(a) (1) In this section the following words have the meanings indicated.

(2) “Fair market value” means:

(i) As to the sale of any new or used vehicle by a licensed dealer, the total purchase price, as certified by the dealer:

(ii) Except as provided in item (iv) of this paragraph, as to a used vehicle that is sold by any person other than a licensed dealer and that has a designated model year that is 7 years old or older, the greater of:

1. The total purchase price; or

2. \$640;

(iii) Except as provided in item (iv) of this paragraph, as to any other used vehicle that is sold by any person other than a licensed dealer:

1. The total purchase price, if the total purchase price is less than \$500 below the retail value of the vehicle as shown in a national publication of used car values adopted for use by the Department; or

2. If the total purchase price is \$500 or more below the retail value of the vehicle as shown in a national publication of used car values adopted for use by the Department:

A. The total purchase price, if verified to the satisfaction of the Administration by a notarized bill of sale submitted in accordance with subsection [(d)(2)] (E)(2) of this section; or

B. The valuation shown in the national publication of used car values, if the Administration finds that the documentation submitted under subsection [(d)(2)] (E)(2) of this section fails to verify the total purchase price;

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(iv) As to a used trailer, a motor scooter, a moped, or an off-highway recreational vehicle that is sold by any person other than a licensed dealer, the greater of:

1. The total purchase price; or
2. \$320; and

(v) In any other case, the valuation shown in a national publication of used car values adopted for use by the Department.

(3) (i) Subject to subparagraphs (ii) and (iii) of this paragraph, “total purchase price” means the price of a vehicle agreed on by the buyer and the seller, including any dealer processing charge, less an allowance for trade-in **IF AUTHORIZED UNDER SUBSECTION (B) OF THIS SECTION** but with no allowance for other nonmonetary consideration.

(ii) As to a person trading in a nonleased vehicle to enter into a lease for a period of more than 180 consecutive days, “total purchase price” means the retail value of the vehicle as certified by the dealer, including any dealer processing charge, less an allowance for the trade-in of the nonleased vehicle **IF AUTHORIZED UNDER SUBSECTION (B) OF THIS SECTION** but with no allowance for other nonmonetary consideration.

(iii) As to a person trading in a leased vehicle to enter into another lease for a period of more than 180 consecutive days with a different leasing company or to purchase a vehicle, “total purchase price” means the retail value of the vehicle as certified by the dealer, including any dealer processing charge, less an allowance for the trade-in of the leased vehicle **IF AUTHORIZED UNDER SUBSECTION (B) OF THIS SECTION** but with no allowance for other nonmonetary consideration.

(4) “Trailer” has the meaning stated in § 11-169 of this article.

(B) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) “GASOLINE– OR DIESEL–POWERED VEHICLE” MEANS A MOTOR VEHICLE THAT:

- 1. IS MADE BY A MANUFACTURER;**
- 2. IS MANUFACTURED PRIMARILY FOR USE ON PUBLIC STREETS, ROADS, AND HIGHWAYS;**
- 3. HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST 55 MILES PER HOUR; AND**
- 4. IS PROPELLED ENTIRELY BY AN INTERNAL COMBUSTION ENGINE.**

(III) “HYBRID VEHICLE” MEANS A MOTOR VEHICLE THAT:

- 1. IS MADE BY A MANUFACTURER;**
- 2. IS MANUFACTURED PRIMARILY FOR USE ON PUBLIC STREETS, ROADS, AND HIGHWAYS;**
- 3. HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST 55 MILES PER HOUR; AND**
- 4. IS PROPELLED BY BOTH:**
 - A. AN INTERNAL COMBUSTION ENGINE; AND**

B. A BATTERY THAT IS NOT CAPABLE OF BEING RECHARGED FROM AN EXTERNAL SOURCE OF ELECTRICITY.

(IV) “ZERO-EMISSION PLUG-IN ELECTRIC DRIVE VEHICLE” MEANS A MOTOR VEHICLE THAT:

1. IS MADE BY A MANUFACTURER;
2. IS MANUFACTURED PRIMARILY FOR USE ON PUBLIC STREETS, ROADS, AND HIGHWAYS;
3. HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST 55 MILES PER HOUR; AND
4. IS PROPELLED BY AN ELECTRIC MOTOR THAT DRAWS ELECTRICITY FROM A BATTERY THAT:
 - A. HAS A CAPACITY OF NOT LESS THAN 4 KILOWATT-HOURS; AND
 - B. IS CAPABLE OF BEING RECHARGED FROM AN EXTERNAL SOURCE OF ELECTRICITY.

(2) ON OR AFTER JULY 1, 2024, BUT BEFORE JULY 1, 2029, IF A PERSON IS TRADING IN A VEHICLE TO PURCHASE OR LEASE:

(I) A ZERO-EMISSION PLUG-IN ELECTRIC DRIVE VEHICLE, A FUEL CELL ELECTRIC VEHICLE, OR A PLUG-IN ELECTRIC DRIVE VEHICLE, THE

ALLOWANCE FOR TRADE-IN IS EQUAL TO 100% OF THE VALUE OF THE TRADE-IN VEHICLE;

(II) A HYBRID VEHICLE, THE ALLOWANCE FOR TRADE-IN IS EQUAL TO 25% OF THE VALUE OF THE TRADE-IN VEHICLE; OR

(III) A GASOLINE- OR DIESEL-POWERED VEHICLE, THERE IS NO ALLOWANCE FOR TRADE-IN.

(3) ON OR AFTER JULY 1, 2029, THERE IS NO ALLOWANCE FOR TRADE-IN.

[(b)] (C) (1) Except as otherwise provided in this part, in addition to any other charge required by the Maryland Vehicle Law, an excise tax is imposed:

(i) For each original and each subsequent certificate of title issued in this State for a motor vehicle, a trailer, a semitrailer, a moped, a motor scooter, or an off-highway recreational vehicle for which sales and use tax is not collected at the time of purchase; and

(ii) Except as provided in paragraph (2) of this subsection, for each motor vehicle, trailer, or semitrailer that is in interstate operation and registered under § 13-109(c) or (d) of this title without a certificate of title.

(2) (i) An excise tax of \$50 is imposed for the registration of a trailer exempt from the titling requirement under § 13-102(12) of this title.

(ii) In a case where the fair market value as defined in subsection (a)(2)(iii)2A of this section applies, the excise tax imposed under this part may not be less than \$32.

(3) A political subdivision of the State may not impose a sales tax, a use tax, or excise tax on the issuance of a motor vehicle certificate of title.

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[(c)] (D) (1) Except as provided in subsection [(b)(2)](C)(2) of this section, the tax imposed by this section is [6 percent] 6.5% of the fair market value of the vehicle.

(2) If the vehicle formerly was a vehicle exempt from the tax imposed by this section, the tax shall be reduced by any amount previously paid by the present owner as a sales and use tax on the vehicle under Title 11 of the Tax – General Article.

(3) (i) If the vehicle was formerly titled and registered in another state and the present owner has paid a sales or excise tax to that state at a rate less than that imposed by this State, then the tax imposed shall apply but at a rate measured by the difference only between the tax rate paid to the other state and the tax rate imposed by this section, if the present owner has not been a Maryland resident for more than 60 days.

(ii) If the vehicle was formerly titled and registered in another state and the present owner requests to transfer the vehicle in accordance with § 13–810(c)(1) of this subtitle, the Administration shall change or correct the names contained in the certificate of title:

1. At the time the excise tax that is credited or imposed under this section is paid and a new title is issued; and

2. Without issuing multiple certificates of title or charging additional fees.

(iii) Except as provided in subsection [(b)(2)](C)(2) of this section, the minimum tax imposed under this section shall be \$100.

[(d)] (E) Each applicant for a certificate of title or for registration under § 13–109(c) of this title shall submit to the Administration:

(1) The information that the Administration considers necessary as to:

(i) The time of purchase of the vehicle; and

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(ii) The purchase price and other information relating to the determination of the fair market value of the vehicle which may include, but is not limited to:

1. Canceled checks;
2. Money order receipts;
3. Loan documents; or
4. A written description of the vehicle's condition; and

(2) If the excise tax is based on the total purchase price of the vehicle as provided in subsection (a)(2)(iii)2A of this section, a notarized bill of sale that:

(i) Is designed by, and obtained from, the Administration;

(ii) Is signed by the buyer and the seller; and

(iii) Includes a statement explaining why the vehicle was sold at the price stated in the bill of sale.

~~[(e)] (F)~~ Any person who fails to pay the excise tax as required in this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000.

~~[(f)] (G)~~ The Administration shall adopt regulations to implement the provisions of this section.

13-815.

(a) (1) In this section the following words have the meanings indicated.

(4) "Zero-emission plug-in electric drive vehicle" means a motor vehicle that:

(i) Is made by a manufacturer;

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and

(ii) Has a maximum speed capability of at least 55 miles per hour;

battery that:

(iii) Is propelled by an electric motor that draws electricity from a

1. Has a capacity of not less than 4 kilowatt-hours; and

2. Is capable of being recharged from an external source
of electricity.

13-901.

(A) [The] SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE fees specified in this subtitle for the registration of a classified vehicle or for any interchangeable registration shall be paid to the Administration:

(1) Before issuance of the registration and any registration plates and registration cards; and

(2) Except as otherwise expressly provided, during each registration year before the issuance or renewal of the registration.

(B) REGISTRATION FEES SPECIFIED IN THIS SUBTITLE SHALL BE PAID IN INSTALLMENTS THROUGHOUT THE REGISTRATION PERIOD AS DETERMINED BY THE ADMINISTRATION.

13-912.

(a) When registered with the Administration, every passenger car and station wagon, except as otherwise provided in this part, is a Class A (passenger) vehicle.

(b) For each Class A (passenger) vehicle, the annual registration fee is:

(1) For a vehicle with a manufacturer's shipping weight of [3,700]

3,500 pounds or less – [~~\$50.50~~; and] **\$73.50**;

(2) For a vehicle with a manufacturer's shipping weight of more than 3,500 POUNDS BUT NOT MORE THAN 3,700 pounds – [~~\$76.50~~] **\$97.50**;

(3) FOR A VEHICLE WITH A MANUFACTURER'S SHIPPING WEIGHT OF MORE THAN 3,700 POUNDS BUT NOT MORE THAN 5,000 POUNDS – **\$146.50**;
AND

(4) FOR A VEHICLE WITH A MANUFACTURER'S SHIPPING WEIGHT OF MORE THAN 5,000 POUNDS – **\$166.50**.

13-913.

(a) (1) When registered with the Administration, every passenger motor vehicle operated for the transportation of persons for hire, except a vehicle described in paragraph (2) of this subsection, is a Class B (for hire) vehicle.

(2) The following vehicles are not subject to the classification specified in this section:

(i) Any vehicle operated on a regular schedule and between fixed termini; and

(ii) Any vehicle for which a different classification is specified in this part.

(b) For each Class B (for hire) vehicle, the annual registration fee is [~~\$150.00~~] **\$165.00**.

13-914.

(a) When registered with the Administration, every motor vehicle operated as an ambulance, a mortician flower coach or service wagon, or a funeral limousine or coach is a Class C (funeral and ambulance) vehicle.

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(b) For each Class C (funeral and ambulance) vehicle, the annual registration fee is [~~\$100.00~~] **\$115.00**.

13-915.

(a) When registered with the Administration, every motorcycle is a Class D (motorcycle) vehicle.

(b) For each Class D (motorcycle) vehicle, the annual registration fee is [~~\$35.00~~] **\$45.00**.

13-916.

(a) When registered with the Administration, every single unit truck with two or more axles is a Class E (truck) vehicle.

(b) For each Class E (truck) vehicle, the annual registration fee is based on the maximum gross weight of the vehicle or combination of vehicles, as follows:

<u>Maximum Gross Weight</u> <u>Limit (in Pounds)</u>	<u>Fee (per 1,000 Pounds</u> <u>or Fraction Thereof)</u>
<u>10,000 (minimum) – 18,000</u>	<u>[\$ 9.00] \$10.00</u>
<u>18,001 – 26,000</u>	<u>[11.75] 12.45</u>
<u>26,001 – 40,000</u>	<u>[12.75] 13.22</u>
<u>40,001 – 60,000</u>	<u>[14.75] 15.06</u>
<u>60,001 – 80,000 (maximum)</u>	<u>[16.00] 16.23</u>

13-917.

Notwithstanding § 13-916(b) of this subtitle, for any Class E (truck) vehicle **WITH A MANUFACTURER’S RATED CAPACITY OF 3/4 TON OR LESS AND A MAXIMUM GROSS VEHICLE WEIGHT OF 7,000 POUNDS OR LESS**, the annual registration fee is [~~\$63.75~~ if]:

- (1) [The manufacturer’s rated capacity is 3/4 ton or less; and
- (2) The] **FOR A VEHICLE WITH A** maximum gross vehicle weight [is

7,000] OF 3,500 pounds or less – \$86.75;

(2) EXCEPT AS PROVIDED IN ITEM (5) OF THIS SECTION, FOR A VEHICLE WITH A MAXIMUM GROSS VEHICLE WEIGHT OF MORE THAN 3,500 POUNDS BUT NOT MORE THAN 5,000 POUNDS – \$110.75;

(3) EXCEPT AS PROVIDED IN ITEM (5) OF THIS SECTION, FOR A VEHICLE WITH A MAXIMUM GROSS VEHICLE WEIGHT OF MORE THAN 5,000 POUNDS BUT NOT MORE THAN 7,000 POUNDS – \$133.75;

(4) EXCEPT AS PROVIDED IN ITEM (5) OF THIS SECTION, FOR A VEHICLE WITH A MAXIMUM GROSS VEHICLE WEIGHT OF MORE THAN 7,000 POUNDS – \$180; AND

(5) FOR A VEHICLE, REGARDLESS OF THE VEHICLE’S MAXIMUM GROSS VEHICLE WEIGHT, FOR WHICH THE OWNER CERTIFIES ON THE REGISTRATION APPLICATION THAT THE VEHICLE FOR WHICH THE APPLICATION IS MADE WILL BE USED FOR CONSTRUCTION ACTIVITIES – \$86.75.

13-919.

(a) On application, the Administration shall issue a special Class E “dump service registration” to any applicant who certifies that the vehicle for which the application is made is a Class E (truck) vehicle that:

(1) Is designed to haul cargo and to self-unload by gravity or mechanical means; and

(2) Is to be used to haul feed or other loose materials in bulk.

(f) For each vehicle registered under this section, the annual registration fee is the greater of:

(1) [~~\$26.25~~] \$26.55 for each thousand pounds of gross weight of the vehicle; or

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(2) ~~[\$1,050.00]~~ **\$1,065.00.**

13-920.

(a) (1) In this section, “tow truck” means a vehicle that:

(i) Is a Class E (truck) vehicle that is designed to lift, pull, or carry a vehicle by a hoist or mechanical apparatus;

(ii) Has a manufacturer’s gross vehicle weight rating of 10,000 pounds or more; and

(iii) Is equipped as a tow truck or designed as a rollback as defined in § 11-151.1 of this article.

(2) In this section, “tow truck” does not include a truck tractor as defined in § 11-172 of this article.

(b) When registered with the Administration every tow truck as defined in this section is a Class T vehicle.

(c) A tow truck registered under this section may be used to tow vehicles for repair, storage, or removal from the highway.

(d) (1) Subject to the provisions of paragraph (2) of this subsection, for each vehicle registered under this section, the annual registration fee is based on the manufacturer’s gross vehicle weight rating as follows:

<u>Manufacturer’s Gross Weight</u>	<u>Fee</u>
<u>Rating in Pounds</u>	
<u>10,000 (or less) to 26,000</u>	<u>[\$185.00] \$200.00</u>
<u>More than 26,000</u>	<u>[\$550.00] \$565.00</u>

(2) (i) The annual registration fee for a vehicle registered under this section that is used for any purpose other than that described in subsection (c) of this section shall be determined under subparagraph (ii) of this paragraph if the maximum gross weight of the vehicle or combination of vehicles:

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1. Exceeds 18,000 pounds and the vehicle has a manufacturer's gross weight rating of 26,000 pounds or less; or

2. Exceeds 35,000 pounds and the vehicle has a manufacturer's gross weight rating of more than 26,000 pounds.

(ii) The annual registration fee shall be the greater of:

1. The fees set forth in paragraph (1) of this subsection;
or

2. The fees set forth in § 13-916(b) of this subtitle.

13-923.

(a) When registered with the Administration, every truck tractor or similar motor vehicle used for propelling, supporting, or drawing a trailer or semitrailer is a Class F (tractor) vehicle.

(b) For each Class F (tractor) vehicle, the annual registration fee is based on the maximum gross weight of the vehicle in combination with a trailer or semitrailer, as follows:

<u>Maximum Gross Weight</u> <u>Limit (in Pounds)</u>	—	<u>Fee (per 1,000 Pounds</u> <u>or Fraction Thereof)</u>
<u>40,000 (minimum) – 60,000</u>	—	<u>[\$21.00] \$21.31</u>
<u>60,001 – 80,000 or more</u>	—	<u>[\$22.50] \$22.73</u>

13-927.

(d) The annual registration fee for a Class G (trailer) vehicle is based on the maximum gross weight as follows:

(1) Except as provided in paragraph (2) of this subsection, for a nonfreight trailer or semitrailer:

<u>Maximum Gross Weight</u> <u>Limit (in Pounds)</u>	—	<u>Fee</u>
—	—	

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—	<u>3,000 or less</u>	<u>[\$25.50] \$35.50</u>
—	<u>3,001 to 5,000</u>	<u>[51.00] 61.00</u>
—	<u>5,001 to 10,000</u>	<u>[80.00] 90.00</u>
—	<u>10,001 to 20,000</u>	<u>[124.00] 139.00</u>

(2) For a nonfreight trailer or semitrailer with a maximum gross weight limit (in pounds) of 10,001 to 20,000 that is titled on or after October 1, 2005:

(i) The fee is [\$124.00] **\$139.00**; and

(ii) The vehicle shall be registered in one of the following weight ranges:

—	—	<u>Maximum Gross Weight</u>
—	—	<u>Limit (in Pounds)</u>
—	—	<u>10,001 to 11,000</u>
—	—	<u>11,001 to 12,000</u>
—	—	<u>12,001 to 13,000</u>
—	—	<u>13,001 to 14,000</u>
—	—	<u>14,001 to 15,000</u>
—	—	<u>15,001 to 16,000</u>
—	—	<u>16,001 to 17,000</u>
—	—	<u>17,001 to 18,000</u>
—	—	<u>18,001 to 19,000</u>
—	—	<u>19,001 to 20,000</u>

(3) For a freight trailer or semitrailer the fee is [\$38.25] **\$48.25**.

13-932.

(a) When registered with the Administration, every school vehicle is a Class H (school) vehicle.

(b) For each Type I school vehicle, the annual registration fee is:

(1) If the vehicle is a school bus only operated for the transportation of children, students, or teachers for educational purposes or in connection with a school activity or, with approval from a board of education in any county, to provide

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transportation for persons 60 years of age or older to civic, educational, social, or recreational activities – [~~\$51.00~~] **\$61.00**; and

(2) If the vehicle is a school bus charter operated for any purpose in addition to that specified in item (1) of this subsection – [~~\$150.00~~] **\$165.00**, less any amount paid under item (1) of this subsection.

(c) For each Type II school vehicle, the annual registration fee is [~~\$51.00~~] **\$61.00**.

13-933.

(a) When registered with the Administration, every bus operated under charter or for hire is a Class P (passenger bus) vehicle.

(b) For each Class P (passenger bus) vehicle, the annual registration fee is based on the seating capacity of the bus, as follows:

<u>Seating Capacity</u>	<u>Fee</u>
<u>20 or less</u> ___	<u>[\$ 275.00] \$290.00</u>
<u>21 to 35</u> ___	<u>[525.00] \$540.00</u>
<u>36 or more</u> ___	<u>[875.00] \$890.00</u>

13-934.

(a) When registered with the Administration, every vehicle used as a vanpool vehicle is a Class J (vanpool) vehicle.

(b) For each Class J (vanpool) vehicle, the annual registration fee is [~~\$76.50~~] **\$86.50**.

13-936.

(a) In this section, “historic motor vehicle” means a motor vehicle, including a passenger vehicle, motorcycle, or truck that:

(1) Is at least 20 years old;

(Over)

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(2) Has not been substantially altered from the manufacturer's original design; and

(3) Meets criteria contained in regulations adopted by the Administration.

(b) In this section, "historic motor vehicle" does not include a vehicle that has been remanufactured or reconstructed as a replica of an original vehicle.

(c) If registered with the Administration under this section, every historic motor vehicle is a Class L (historic) vehicle.

(d) Except as provided in subsection (i) of this section, for each Class L (historic) vehicle, the annual registration fee is [\$25.50] **\$35.50.**

13-937.

(a) When registered with the Administration, every multipurpose passenger vehicle is a Class M (multipurpose) vehicle.

(b) For each Class M (multipurpose) vehicle, the annual registration fee is:

(1) For a vehicle with a manufacturer's shipping weight of [3,700] **3,500** pounds or less – [\$50.50; and] **\$73.50;**

(2) For a vehicle with a manufacturer's shipping weight of more than **3,500 POUNDS BUT NOT MORE THAN 3,700** pounds – [\$76.50] **\$97.50;**

(3) **FOR A VEHICLE WITH A MANUFACTURER'S SHIPPING WEIGHT OF MORE THAN 3,700 POUNDS BUT NOT MORE THAN 5,000 POUNDS – \$146.50;**
AND

(4) **FOR A VEHICLE WITH A MANUFACTURER'S SHIPPING WEIGHT OF MORE THAN 5,000 POUNDS – \$166.50.**

(c) The Administration may by rule and regulation provide for the registration

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under this section of all multipurpose passenger vehicles registered under another [category] CLASSIFICATION.

13-937.1.

(a) In this section, "street rod" means a motor vehicle that:

(1) Is 25 years old or older; and

(2) Has been substantially altered from the manufacturer's original design.

(b) Except as provided in subsection (e) of this section, if registered with the Administration under this section, every street rod is a Class N (street rod) vehicle.

(c) For each Class N (street rod) vehicle, the annual registration fee is [~~\$25.00~~] **\$35.50**.

13-939.

(a) When registered with the Administration, every limousine operated for hire is a Class Q (limousine) vehicle.

(b) For each Class Q (limousine) vehicle, the annual registration fee is [~~\$185.00~~] **\$200.00**.

(c) On registration of a vehicle under this section, the Administration shall issue special limousine vehicle registration plates of the size and design that the Administration determines.

13-954.

(b) (1) In addition to the registration fee otherwise required by this title, the owner of any motor vehicle registered under this title shall pay a surcharge of [~~\$17.00~~] **\$40.00** per year for each motor vehicle registered.

(Over)

(2) (I) [~~\$2.50~~] \$4.50 of the surcharge collected under paragraph (1) of this subsection shall be paid into the Maryland Trauma Physician Services Fund established under § 19–130 of the Health – General Article.

(II) THE GOVERNOR ANNUALLY SHALL ALLOCATE AT LEAST \$7.60 OF THE SURCHARGE COLLECTED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO THE R ADAMS COWLEY SHOCK TRAUMA CENTER.

(III) THE BALANCE OF THE SURCHARGE COLLECTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE PAID TO THE MARYLAND EMERGENCY MEDICAL SYSTEMS OPERATIONS FUND ESTABLISHED UNDER § 13-955 OF THIS SUBTITLE.

13–956.

(A) IN THIS SECTION, “ZERO-EMISSION PLUG-IN ELECTRIC DRIVE VEHICLE” HAS THE MEANING STATED IN § 13–815 OF THIS TITLE.

(B) IN ADDITION TO THE REGISTRATION FEE OTHERWISE REQUIRED BY THIS TITLE, THE OWNER OF A MOTOR VEHICLE SHALL PAY AN ANNUAL SURCHARGE:

(1) ON OR BEFORE SEPTEMBER 30, 2025, OF:

(i) \$125 FOR EACH ZERO-EMISSION PLUG-IN ELECTRIC DRIVE VEHICLE OR FUEL CELL ELECTRIC VEHICLE;

(ii) \$100 FOR EACH PLUG-IN ELECTRIC DRIVE HYBRID VEHICLE; AND

(iii) \$75 FOR EACH HYBRID VEHICLE THAT DOES NOT HAVE PLUG-IN CHARGING CAPABILITY; AND

(2) AFTER SEPTEMBER 30, 2025, A RATE BASED ON THE AMOUNTS ESTABLISHED UNDER ITEM (1) OF THIS SUBSECTION ADJUSTED FOR INFLATION AS DETERMINED ANNUALLY BY THE ADMINISTRATION.

(C) A SURCHARGE ASSESSED UNDER THIS SECTION MAY BE PAID:

(1) AT THE TIME THE ANNUAL REGISTRATION FEE IS PAID; OR

(2) IN INSTALLMENTS THROUGHOUT THE REGISTRATION PERIOD AS DETERMINED BY THE ADMINISTRATION.

(D) THE PROCEEDS COLLECTED FROM THE SURCHARGE ASSESSED UNDER THIS SECTION SHALL BE DEPOSITED INTO THE TRANSPORTATION TRUST FUND.

(E) IF A PERSON THAT OWNS A MOTOR VEHICLE THAT IS ASSESSED THE SURCHARGE FAILS TO PAY THE SURCHARGE OR INSTALLMENTS, THE ADMINISTRATION SHALL REFUSE TO REGISTER OR RENEW OR TRANSFER THE REGISTRATION OF THE MOTOR VEHICLE.

21-810.

(b) (1) A work zone speed control system that meets the requirements of this subsection may be used to record the images of motor vehicles traveling on a highway:

(i) Within a work zone; AND

(ii) [That is an expressway or a controlled access highway as defined in § 21-101 of this title; and

(iii)] On which the speed limit, AS POSTED BEFORE THE WORK ZONE WAS IMPLEMENTED AND established using generally accepted traffic engineering practices, is 45 miles per hour or greater.

(Over)

(2) (I) A work zone speed control system may be used only:

[(i)] 1. On a highway as specified in paragraph (1) of this subsection; AND

[(ii)] When being operated by a work zone speed control system operator; and

[(iii)] 2. If, in accordance with the Maryland manual on uniform traffic control devices[, a]:

A. A conspicuous road sign is placed at a reasonable distance consistent with national guidelines before the work zone alerting drivers that a speed monitoring system may be in operation in the work zone; AND

B. A DEVICE THAT DISPLAYS A REAL-TIME POSTING OF THE SPEED AT WHICH A DRIVER IS TRAVELING IS PROXIMATE TO EACH ROAD SIGN ALERTING DRIVERS THAT A SPEED MONITORING SYSTEM MAY BE IN OPERATION IN THE WORK ZONE.

(II) A WORK ZONE SPEED CONTROL SYSTEM OPERATOR DOES NOT NEED TO BE PRESENT IN PERSON OR REMOTELY AT THE HIGHWAY WORK ZONE WHEN A WORK ZONE SPEED CONTROL SYSTEM IS IN USE.

(III) 1. MULTIPLE WORK ZONE SPEED CONTROL SYSTEMS MAY BE IMPLEMENTED AND USED IN A WORK ZONE.

2. IF A WORK ZONE HAS MORE THAN ONE WORK ZONE SPEED CONTROL SYSTEM IN USE, NOT MORE THAN ONE CITATION MAY BE ISSUED FOR THE SAME REGISTRATION PLATE FOR ALLEGED VIOLATIONS THAT OCCUR WITHIN A 1-HOUR PERIOD IN THE WORK ZONE.

(c) (1) Unless the driver of the motor vehicle received a citation from a police officer at the time of the violation, the owner or, in accordance with subsection (f)(4) of this section, the driver of a motor vehicle is subject to a civil penalty if an image

of the motor vehicle is recorded by a work zone speed control system in accordance with subsection (b) of this section while being operated in violation of this subtitle.

(2) (I) [A] ON OR BEFORE DECEMBER 31, 2024, A civil penalty under this subsection [may not exceed \$40] IS \$80.

(II) ON OR AFTER JANUARY 1, 2025, A CIVIL PENALTY UNDER THIS SECTION IS \$250.

(3) For purposes of this section, the District Court shall:

(i) Prescribe a uniform citation form consistent with subsection (d)(1) of this section and § 7-302 of the Courts Article; and

(ii) Indicate on the citation the amount of the civil penalty to be paid by persons who choose to prepay the civil penalty without appearing in District Court.

(K) (1) ON OR BEFORE DECEMBER 1, 2024, AND EACH DECEMBER 1 THEREAFTER, THE STATE HIGHWAY ADMINISTRATION SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY:

(I) ON ANY PILOT PROGRAM THAT THE STATE HIGHWAY ADMINISTRATION CONDUCTED IN THE PREVIOUS FISCAL YEAR THAT TESTS NEW TECHNOLOGIES FOR DETECTING AND RECORDING A VIOLATION OF THIS SUBTITLE IN A WORK ZONE; OR

(II) THAT THE STATE HIGHWAY ADMINISTRATION DID NOT CONDUCT ANY SUCH PILOT PROGRAM IN THE PREVIOUS FISCAL YEAR.

(2) A REPORT SUBMITTED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION SHALL INCLUDE INFORMATION ON:

(I) HOW DATA COLLECTED FROM THE DEVICE TESTED MAY BE USED FOR THE ENFORCEMENT OF VIOLATIONS OF THIS SUBTITLE IN WORK ZONES; AND

(II) ANY LEGISLATIVE OR REGULATORY CHANGES THAT WOULD BE NECESSARY TO AUTHORIZE THE EFFECTIVE USE OF THE DEVICE.

[(k)] (L) The Department of State Police and the State Highway Administration jointly shall adopt regulations establishing standards and procedures for work zone speed control systems authorized under this section.

21-902.

(a) (1) (i) A person may not drive or attempt to drive any vehicle while under the influence of alcohol.

(ii) A person may not drive or attempt to drive any vehicle while the person is under the influence of alcohol per se.

(iii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 1 year or a fine not exceeding [\$1,000] **\$1,200** or both; and

2. For a second offense, imprisonment not exceeding 2 years or a fine not exceeding [\$2,000] **\$2,400** or both.

(iv) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under subsection (b), (c), or (d) of this section or § 8-738 of the Natural Resources Article, within 5 years before the conviction for a violation of this paragraph, shall be considered a prior conviction.

(2) (i) A person may not violate paragraph (1) of this subsection while transporting a minor.

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(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 2 years or a fine not exceeding \$2,000 or both; and

2. For a second offense, imprisonment not exceeding 3 years or a fine not exceeding \$3,000 or both.

(iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under this paragraph or subsection (b)(2), (c)(2), or (d)(2) of this section shall be considered a prior conviction.

(b) (1) (i) A person may not drive or attempt to drive any vehicle while impaired by alcohol.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 2 months or a fine not exceeding \$500 or both; and

2. For a second offense, imprisonment not exceeding 1 year or a fine not exceeding \$500 or both.

(iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under this subsection or subsection (a), (c), or (d) of this section or § 8-738 of the Natural Resources Article shall be considered a prior conviction.

(2) (i) A person may not violate paragraph (1) of this subsection while transporting a minor.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 1 year or a fine not exceeding ~~[\$1,000]~~ **\$1,100** or both; and

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2. For a second offense, imprisonment not exceeding 2 years or a fine not exceeding ~~[\$2,000]~~ **\$2,200** or both.

(iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under this paragraph or subsection (a)(2), (c)(2), or (d)(2) of this section shall be considered a prior conviction.

(c) (1) (i) A person may not drive or attempt to drive any vehicle while so far impaired by any drug, any combination of drugs, or a combination of one or more drugs and alcohol that the person cannot drive a vehicle safely.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 2 months or a fine not exceeding \$500 or both; and

2. For a second offense, imprisonment not exceeding 1 year or a fine not exceeding \$500 or both.

(iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under this subsection or subsection (a), (b), or (d) of this section or § 8-738 of the Natural Resources Article shall be considered a prior conviction.

(iv) It is not a defense to any charge of violating this subsection that the person charged is or was entitled under the laws of this State to use the drug, combination of drugs, or combination of one or more drugs and alcohol, unless the person was unaware that the drug or combination would make the person incapable of safely driving a vehicle.

(2) (i) A person may not violate paragraph (1) of this subsection while transporting a minor.

(ii) A person convicted of a violation of this paragraph is subject to:

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1. For a first offense, imprisonment not exceeding 1 year or a fine not exceeding [\$1,000] **\$1,200** or both; and

2. For a second offense, imprisonment not exceeding 2 years or a fine not exceeding [\$2,000] **\$2,400** or both.

(iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under this paragraph or subsection (a)(2), (b)(2), or (d)(2) of this section shall be considered a prior conviction.

(d) (1) (i) A person may not drive or attempt to drive any vehicle while the person is impaired by any controlled dangerous substance, as that term is defined in § 5–101 of the Criminal Law Article, if the person is not entitled to use the controlled dangerous substance under the laws of this State.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 1 year or a fine not exceeding [\$1,000] **\$1,200** or both; and

2. For a second offense, imprisonment not exceeding 2 years or a fine not exceeding [\$2,000] **\$2,400** or both.

(iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under subsection (a), (b), or (c) of this section or § 8–738 of the Natural Resources Article, within 5 years before the conviction for a violation of this paragraph, shall be considered a prior conviction.

(2) (i) A person may not violate paragraph (1) of this subsection while transporting a minor.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 2 years or a fine not exceeding \$2,000 or both; and

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2. For a second offense, imprisonment not exceeding 3 years or a fine not exceeding \$3,000 or both.

(iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under this paragraph or subsection (a)(2), (b)(2), or (c)(2) of this section shall be considered a prior conviction.”.

AMENDMENT NO. 17

On page 38, before line 14, insert:

“Chapter 500 of the Acts of 2009

SECTION 3. AND BE IT FURTHER ENACTED, That, during the 30–day period after the first work zone speed control system is in place, a law enforcement agency may issue warnings[, but may not issue citations.] OR CITATIONS for violations enforced in accordance with § 21–810 of the Transportation Article, as enacted by this Act.”;

and after line 17, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of Chapter 455 of the Acts of the General Assembly of 2023 be repealed.”.

On page 45, after line 14, insert:

“SECTION 20. AND BE IT FURTHER ENACTED, That:

(a) The General Assembly intends that the transportation revenues raised in accordance with the provisions of this Act remain allocated within the Department of Transportation. Proposed revenue increases may not be credited to the Gasoline and Motor Vehicle Revenue Account. Nothing in this section is intended to prohibit the Department of Transportation from providing grants to local governments to restore transportation aid.

(b) It is further the intent of the General Assembly that the Department of Transportation allocate the revenues raised from this Act to restore and, if feasible, enhance allocations to:

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(1) highway user aid to local governments in accordance with Title 8, Subtitle 4 of the Transportation Article;

(2) locally operated transit system grants awarded in accordance with Section 4-322 of the Transportation Article;

(3) Maryland Transit Administration operating;

(4) Maryland Transit Administration state of good repair and capital projects;

(5) State Highway Administration system preservation projects for highways, roads, and bridges;

(6) State Highway Administration highway, road, and bridge projects that were removed from or deleted in the Development and Evaluation Program and Construction Program in the Consolidated Transportation Program; and

(7) continue planning and developing for the Marylanders' future transportation needs, including the Red Line and other significant capital projects.

SECTION 21. AND BE IT FURTHER ENACTED, That:

(a) § 13-809(b)(2) of the Transportation Article as enacted by Section 1 of this Act shall be applicable to all certificates of title issued in the State on or after July 1, 2024 but before July 1, 2029 and to all motor vehicles, trailers, or semitrailers subject to the excise tax that are in interstate operation and registered under § 13-109(c) or (d) of the Transportation Article without a certificate of title on or after July 1, 2024 but before July 1, 2029; and

(b) § 13-809(b)(3) of the Transportation Article as enacted by Section 1 of this Act shall be applicable to all certificates of title issued in the State on or after July 1, 2029 and to all motor vehicles, trailers, or semitrailers subject to the excise tax that are in interstate operation and registered under § 13-109(c) or (d) of the Transportation Article without a certificate of title on or after July 1, 2029.”.