

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 667

H.P. 487

House of Representatives, March 7, 1989

Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative MAHANY of Easton.

Cosponsored by Representative LISNIK of Presque Isle and Senator PEARSON of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act Relating to Taxation of Trucks.



1 Be it enacted by the People of the State of Maine as follows:

3 36 MRSA §1760, sub-§41, as amended by PL 1987, c. 497, §38,
5 is further amended to read:

7 41. Certain instrumentalities of interstate or foreign
9 commerce. The sale or lease of a vehicle, or the sale of
11 railroad rolling stock, aircraft or watercraft which is placed in
13 use by the purchaser or lessee as an instrumentality of
15 interstate or foreign commerce within 30 days after that sale or
17 lease and which is used by the purchaser or lessee not less than
19 80% of the time for the next 2 years as an instrumentality of
21 interstate or foreign commerce. The State Tax Assessor may for
23 good cause extend for not more than 60 days the time for placing
25 the instrumentality in use in interstate or foreign commerce. For
27 purposes of this subsection, property is "placed in use as an
29 instrumentality of interstate or foreign commerce" by its
carrying of, or providing the motive power for the carrying of, a
bona fide payload in interstate or foreign commerce, or by being
dispatched to a specific location at which it will be loaded upon
arrival with, or will be used as motive power for the carrying
of, a payload in interstate or foreign commerce. For purposes of
this subsection, "bona fide payload" means a cargo of persons or
property transported by a contract or common carrier for
compensation which exceeds the direct cost of carrying that cargo
or pursuant to a legal obligation to provide service as a public
utility or a cargo of property transported in the reasonable
conduct of the purchaser's own nontransportation business in
interstate commerce.

31

STATEMENT OF FACT

33

35 This bill will broaden the current tax benefit given to
purchased vehicles used in interstate commerce to leased vehicles.