

# MAINE STATE LEGISLATURE

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# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 901

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H.P. 620

House of Representatives, March 12, 2015

### **An Act To Ensure Sustainable Infrastructure Funding**

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Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative McLEAN of Gorham.  
Cosponsored by Representatives: BRYANT of Windham, HOGAN of Old Orchard Beach,  
POWERS of Naples, Senator: VALENTINO of York.

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

2 **Sec. 1. 36 MRSA c. 467** is enacted to read:

3 **CHAPTER 467**

4 **INDEXING OF MOTOR FUEL TAX RATES**

5 **§3331. Annual adjustment of tax rates**

6 **1. Generally.** Beginning July 1, 2015, the excise tax imposed upon internal  
7 combustion engine fuel pursuant to section 2903, subsection 1 and the excise tax imposed  
8 upon distillates pursuant to section 3203, subsection 1-B are subject to a rate of  
9 adjustment pursuant to this section. On or about February 15th of each year, the State Tax  
10 Assessor shall calculate the adjusted rates by multiplying the rates in effect on the  
11 calculation date by a fuel economy index as computed in subsection 2. The adjusted rates  
12 must then be rounded to the nearest 1/10 of a cent and become effective on the first day  
13 of July immediately following the calculation. The assessor shall publish the adjusted fuel  
14 tax rates and shall provide all necessary forms and reports to suppliers, distributors and  
15 retail dealers.

16 **2. Method of calculation; fuel economy index defined.** Except as provided in  
17 subsection 3, the fuel economy index is based on increases to federal fuel efficiency  
18 standards as set out in this subsection.

19 **A.** Starting with fiscal year 2016 and every fiscal year thereafter, the fuel economy  
20 index is the percentage change in the corporate average fuel economy standard  
21 established by the federal Department of Transportation, National Highway Traffic  
22 Safety Administration, averaged for all classes of passenger cars and light trucks,  
23 between the model year of the current fiscal year and the model year corresponding  
24 with the upcoming fiscal year.

25 **B.** The fuel economy index for fiscal year 2016 is 1.046.

26 **3. Maximum.** The fuel economy index established in subsection 2 may not exceed  
27 the Chained Consumer Price Index as defined in section 5402, subsection 1 for the  
28 calendar year ending on the December 31st immediately preceding the calculation date,  
29 divided by the Chained Consumer Price Index for the previous calendar year.

30 **4. Exclusion.** This section does not apply to internal combustion engine fuel  
31 purchased or used for the purpose of propelling jet or turbojet engine aircraft.

32 **5. Legislative review.** Starting in 2021 and in each odd-numbered year thereafter,  
33 the Department of Transportation shall submit a bill by the cloture date established for  
34 departments and agencies that suspends any adjustment in fuel tax rates in the upcoming  
35 biennium resulting from the operation of this section.

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## **SUMMARY**

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This bill establishes a system of indexing Maine's motor fuel excise tax rates, tying

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adjusted rate increases to federal fuel efficiency standards.