



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 462

H.P. 355

House of Representatives, February 10, 2011

An Act To Amend the Laws Governing Excise Tax Credits

Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in cursive script, reading 'Heather J.R. Priest'.

HEATHER J.R. PRIEST
Clerk

Presented by Representative HASKELL of Portland.
Cosponsored by Senator SAVIELLO of Franklin and
Representatives: CAREY of Lewiston, CURTIS of Madison, DUCHESNE of Hudson,
TUTTLE of Sanford, Senator: DIAMOND of Cumberland.

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

2 **Sec. 1. 36 MRSA §1482, sub-§5**, as amended by PL 2007, c. 83, §1, is further
3 amended to read:

4 **5. Credits.** Any owner or lessee who has paid the excise or property tax for a vehicle
5 the ownership or registration of which is transferred, or that is subsequently totally lost by
6 fire, theft or accident or that is subsequently totally junked or abandoned, in the same
7 calendar year or registration year, is entitled to a credit to the maximum amount of the tax
8 previously paid in that year or period for any one vehicle toward the tax for any number
9 of vehicles, regardless of the number of transfers that may be required of the owner or
10 lessee in the same calendar year or registration year. The credit may be applied to any
11 vehicle or vehicles acquired by the owner or lessee within 30 days after the transfer or
12 total loss of the vehicle for which the credit is allowed.

13 A. The credit must be given in any place in which the excise tax is payable.

14 B. For each transfer made in the same calendar year or registration year, the owner
15 shall pay \$3 to the place in which the excise tax is payable.

16 C. From November 1st to the last day of February the credit may not exceed 1/2 the
17 amount of the maximum tax, except that for automobiles, trucks and truck tractors,
18 during the last 4 months of the registration year, the credit may not exceed 1/2 the
19 maximum tax.

20 D. If the credit available under this subsection exceeds the amount transferred to
21 another vehicle, a municipality ~~may choose, but is not required to~~ shall refund the
22 excess amount. ~~If a municipality chooses to refund excess amounts it must do so in~~
23 ~~all instances where there is an excess amount.~~

24 E. For the purposes of this subsection, the term, "owner" includes the surviving
25 spouse.

26 **SUMMARY**

27 This bill permits the motor vehicle excise tax credit for transfer or total loss of a
28 motor vehicle to be applied to a vehicle or vehicles acquired by the owner or lessee
29 within 30 days after the transfer or total loss. If the credit exceeds the amount transferred
30 to another vehicle, the bill requires the municipality to refund the excess amount.