

1 H.284

2 Introduced by Representatives Minter of Waterbury, Cheney of Norwich,

3 Fisher of Lincoln, Shand of Weathersfield and Weston of

4 Burlington

5 Referred to Committee on

6 Date:

7 Subject: Taxation; sales and use tax; diesel fuel tax; gasoline tax; surcharges

8 Statement of purpose: This bill proposes to levy a surcharge of three percent
9 of the wholesale price of gasoline and diesel purchased or used in this state, but
10 provides a circuit breaker when the wholesale price is greater than \$3.50 per
11 gallon.

12 An act relating to a surcharge on diesel fuel and gasoline

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 23 V.S.A. § 3003(a) is amended to read:

15 (a) A tax of ~~25 cents~~ \$0.25 per gallon ~~and~~, a fee of ~~one cent~~ \$0.01 per
16 gallon established pursuant to the provisions of 10 V.S.A. § 1942, and,
17 whenever the wholesale price per gallon is less than \$3.50 per gallon exclusive
18 of all federal and state taxes, a surcharge of three percent of the wholesale
19 price exclusive of all federal and state excise taxes is imposed on each gallon
20 of fuel ~~established pursuant to the provisions of 10 V.S.A. § 1942:~~

1 (1) sold or delivered by a distributor; or

2 (2) used by a user.

3 Sec. 2. 23 V.S.A. § 3106(a) is amended to read:

4 (a) Except for sales of motor fuels between distributors licensed in this
5 state, which sales shall be exempt from the tax, in all cases not exempt from
6 the tax under the laws of the United States at the time of filing the report
7 required by section 3108 of this title, each distributor shall pay to the
8 commissioner a tax of \$0.19 per gallon plus, whenever the wholesale price per
9 gallon is less than \$3.50 per gallon exclusive of all federal and state taxes, a
10 surcharge of three percent of the wholesale price exclusive of all federal and
11 state excise taxes upon each gallon of motor fuel sold by the distributor. The
12 distributor shall also pay to the commissioner a tax in the same amount upon
13 each gallon of motor fuel used within the state by him or her.

14 Sec. 3. EFFECTIVE DATE

15 This act shall take effect on July 1, 2009.