

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 80*

Short Title: Public Transit Rental Vehicle Surtax.

(Public)

Sponsors: Representatives Lineberry; Bowie, Gottovi, Luebke, Pope, and Stamey.

Referred to: Transportation.

February 18, 1991

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE COUNTIES THAT ARE ORGANIZERS OF A PUBLIC TRANSPORTATION AUTHORITY TO LEVY A RENTAL VEHICLE SURTAX.

The General Assembly of North Carolina enacts:

Section 1. Chapter 105 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 5B.

"RENTAL VEHICLE SURTAX.

"§ 105-187.20. Purpose.

The purpose of this Article is to allow counties that are organizers of a regional public transportation authority to levy a surtax on rental vehicles. The regional transportation authority must use the proceeds of the surtax as provided by G.S. 160A-610.

"§ 105-187.21. Definitions.

The following definitions apply in this Article:

- (1) Authority. Defined in G.S. 160A-610(1).
- (2) Motorcycles. Defined in G.S. 20-4.01.
- (3) Private passenger vehicles. Defined in G.S. 20-4.01.

"§ 105-187.22. Rental vehicle surtax.

(a) Levy. After receiving a resolution from the authority supporting levy of a surtax on rental vehicles, a county that is an organizer of an authority may levy by vote of the county commissioners a surtax on the commercial lease or rental of a private passenger motor vehicle or a motorcycle. The surtax may not exceed two dollars (\$2.00) per day or part of a day, or sixty dollars (\$60.00) per rental or lease transaction.

1 Before levying, increasing, decreasing, or repealing a tax under this section, the county
2 must hold public hearings, after not less than 10 days public notice. The resolution of
3 the county levying the tax shall set the effective date of the tax on the first day of the
4 month, and provide that the tax shall not become effective unless each county which
5 organized the authority levies the tax.

6 (b) Payment of tax. The surtax shall be collected from lessors and renters of
7 private passenger motor vehicles and motorcycles by the Department of Revenue, on
8 the same schedule provided in Article 5 of this Chapter for the collection of sales tax.

9 (c) Administration. The Department of Revenue shall transfer the proceeds
10 of the tax quarterly to the authority. The authority must provide annually to each county
11 that is an organizer of the authority written documentation of the use of the surcharge,
12 including a copy of its annual audit required under G.S. 159-34. The Department of
13 Revenue may retain a portion of the parking surtax as reimbursement for the cost of
14 collection.

15 (d) Repeal. Once levied, the rental vehicle surtax may be increased, decreased,
16 or repealed with the approval of the county commissioners of any county that sponsored
17 the authority. Any repeal or decrease of the surtax must take effect at the end of the
18 fiscal year, and at least three months after the date of repeal. If a county repeals or
19 decreases the surtax, it will remain liable for any outstanding obligations of the
20 authority."

21 Sec. 2. This act is effective upon ratification.