

**HOUSE . . . . . No. 2564**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Carl M. Sciortino, Jr.*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to updating funding for transportation investments.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Carl M. Sciortino, Jr.*

*34th Middlesex*

*Denise Provost*

*27th Middlesex*

**HOUSE . . . . . No. 2564**

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By Mr. Sciortino of Medford, a petition (accompanied by bill, House, No. 2564) of Carl M. Sciortino, Jr. and Denise Provost relative to the motor fuel excise tax. Revenue.

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The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven  
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An Act relative to updating funding for transportation investments.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 1 of chapter 64A of the General Laws, as most recently amended  
2 by section 1 of chapter 206 of the acts of 2008, is hereby amended by striking out the definition  
3 of “Tax per gallon” and inserting in place thereof the following definition:

4 “Tax per gallon”, shall be 35 cents per gallon effective July 1, 2011; provided, however  
5 beginning on July 1, 2012, and on the first of July each year thereafter, the tax per gallon shall be  
6 adjusted by the percent change in inflation as determined and certified by the commissioner as  
7 set forth in the following sentence and the resulting tax per gallon shall then be computed to the  
8 nearest tenth of a cent per gallon. On or prior to April 30, 2012 and each April 30 thereafter, the  
9 commissioner shall determine the inflation adjustment, if any, to be applied to the tax per gallon  
10 as determined for the prior year, as the percentage change, rounded to the nearest tenth of one  
11 percent, of the change in the average consumer price index for all consumers for Boston as  
12 determined by the Bureau of Labor Statistics of the United States Department of Labor for the  
13 most recent 12-month period ending prior to the rate determination month compared to the

14 average consumer price index for the same 12-month period in the preceding year. For aviation  
15 fuel, “tax per gallon” shall mean 7½ percent of the average price, as determined by the  
16 commissioner, for each calendar quarter, computed to the nearest tenth of a cent per gallon;  
17 provided, however, that such tax shall not be less than 10 cents per gallon. Receipts from this  
18 tax shall go towards the Commonwealth Transportation Fund as established in section 2ZZZ of  
19 chapter 29 of the General Laws.