FILED ON: 1/21/2011

HOUSE No. 2564

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

FILED ON: 1/21/2011

HOUSE No. 2564

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.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

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.