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schedules:

HOUSE BILL No. 2382

By Committee on Taxation

3-8

AN ACT concerning motor fuels tax; relating to rates, trip permits and 1 2 distribution of revenues; amending K.S.A. 2016 Supp. 79-3492b, 79-3 34,118, 79-34,141 and 79-34,142 and repealing the existing sections. 4 5 Be it enacted by the Legislature of the State of Kansas: Section 1. K.S.A. 2016 Supp. 79-3492b is hereby amended to read as 6 7 follows: 79-3492b. Alternatively to the methods otherwise set forth in this 8 act, special LP-gas permit users operating motor vehicles on the public 9 highways of this state may upon application to the director on forms prescribed by the director elect to pay taxes in advance on LP-gas for each 10 11 and every motor vehicle owned or operated by them and propelled in 12 whole or in part with LP-gas during the calendar year and thereafter to 13 purchase LP-gas tax free in lieu of securing a bonded user's permit and 14 filing monthly reports and tax payments and keeping the records otherwise provided for in this act. The amount of such tax for each motor vehicle 15 16 shall, except as otherwise provided, be based upon the gross weight of the motor vehicle and the number of miles it was operated on the public 17 18 highways of this state during the previous year pursuant to the following

(a) Prior to July 1, 2017:

	less than 5,000 miles	5,000 to 10,000 mil	less than 5,000 to 10,001 to 15,001 to 20,000 to 30,000 to 40,000 to 50,000 to 60,000 5,000 miles 10,000 miles 15,000 miles 19,999 miles 29,999 miles 39,999 miles 30,000 miles 30,999 miles 30,000 miles 30,999 miles 30,000 miles 30,000 miles 30,999 miles 30,000 mile	15,001 to s19,999 mile	20,000 to s29,999 mile	30,000 to s39,999 mile	40,000 to s 49,999 mile	50,000 to 859,999 mile	60,000 sand over
Class A: 3,000 pounds or less	\$46.00	\$92.00	\$138.00	\$184.00	\$184.00 \$276.00	\$368.00	\$460.00	\$552.00	\$644.00
Class B: more than 3,000 pounds and not more than 4,500 pounds	\$78.00	\$156.00	\$234.00	\$312.00	\$468.00	\$624.00	\$780.00	\$936.00	\$1,092.00
Class C: more than 4,500 pounds and not more than 12,000 pounds	\$95.00	\$189.00	\$285.00	\$380.00	\$570.00	\$760.00	\$950.00	\$1,140.00	\$1,330.00
Class D: more than 12,000 pounds \$129.00 and not more than 16,000 pounds	\$129.00	\$258.00	\$387.00	\$516.00	\$774.00	\$1,032.00	\$1,032.00 \$1,290.00	\$1,548.00	\$1,806.00
Class E: more than 16,000 pounds \$165.00 and not more than 24,000 pounds	\$165.00	\$330.00	\$495.00	\$660.00	8990.00	\$1,320.00	\$1,320.00 \$1,650.00 \$1,980.00	\$1,980.00	\$2,310.00
Class F: more than 24,000 pounds and not more than 36,000 pounds	\$230.00	\$460.00	\$690.00	\$920.00	\$1,380.00	\$1,380.00 \$1,840.00 \$2,300.00	\$2,300.00	\$2,760.00	\$3,220.00
Class G: more than 36,000 pounds \$285.00 and not more than 48,000 pounds	\$285.00	\$570.00	\$855.00	\$1,140.00	\$1,710.00	\$1,140.00 \$1,710.00 \$2,280.00 \$2,850.00 \$3,420.00	\$2,850.00	\$3,420.00	\$3,990.00
Class H: more than 48,000 pounds \$384.00	\$384.00	\$768.00	\$1,152.00	\$1,536.00	\$2,304.00	\$1,152.00 \$1,536.00 \$2,304.00 \$3,072.00 \$3,840.00 \$4,608.00	\$3,840.00	\$4,608.00	\$5,376.00
Class I: transit carrier vehicles operated by transit companies									\$1,808.00
Class J: motor vehicles designed for carrying fewer than 10 passengers and used for the transportation of persons for compensation.	u								\$939.00

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1	<i>(b)</i>	On and after July 1, 2017:
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	less than 5,000 miles	5,000 to 10,001 to 15,001 to 20,000 to 30,000 to 40,000 to 50,000 to 60,000 10,000 miles 15,000 miles 19,999 miles 29,999 miles and ow	5,000 to 10,001 to 15,001 to 20,000 to 30,000 to 40,000 to 50,000 to 60,000 10,000 miles 15,000 miles 19,999 miles 29,999 miles 39,999 miles 49,999 miles 39,999 miles and over	15,001 to 19,999 miles	20,000 to 29,999 miles	30,000 to 39,999 miles	40,000 to 49,999 miles	50,000 to 59,999 miles	60,000 and over
Class A: 3,000 pounds or less	\$68.00	\$136.00	\$204.00	\$272.00	\$408.00	\$544.00	\$680.00	\$816.00	\$952.00
Class B: more than 3,000 pounds and not more than 4,500 pounds	\$115.00	\$231.00	\$346.00	\$461.00	\$692.00	\$922.00	\$1,153.00	\$1,384.00	\$1,614.00
Class C: more than 4,500 pounds and not more than 12,000 pounds	\$140.00	\$279.00	\$421.00	\$562.00	\$843.00	\$1,123.00	\$1,404.00	\$1,685.00	\$1,966.00
Class D: more than 12,000 pounds \$191.00 and not more than 16,000 pounds	\$191.00	\$381.00	\$572.00	\$763.00	\$1,144.00	\$1,526.00	\$1,907.00	\$2,288.00	\$2,670.00
Class E: more than 16,000 pounds \$244.00 and not more than 24,000 pounds	\$244.00	\$488.00	\$732.00	2976.00	\$1,463.00 \$1,951.00		\$2,439.00	\$2,927.00	\$3,415.00
Class F: more than 24,000 pounds and not more than 36,000 pounds	\$340.00	\$680.00	\$1,020.00	\$1,360.00	\$2,040.00 \$2,720.00		\$3,400.00	\$4,080.00	\$4,760.00
Class G: more than 36,000 pounds \$421.00 and not more than 48,000 pounds	\$421.00	\$843.00	\$1,264.00	\$1,685.00	\$2,528.00	\$3,370.00	\$4,213.00	\$5,056.00	\$5,898.00
Class H: more than 48,000 pounds \$568.00	\$568.00	\$1,135.00	\$1,703.00 \$2,271.00 \$3,406.00 \$4,541.00 \$5,677.00	\$2,271.00	\$3,406.00	\$4,541.00		\$6,812.00	\$7,947.00
Class I: transit carrier vehicles operated by transit companies									\$2,673.00
Class J. motor vehicles designed									\$1,388.00

Class J. motor vehicles des igned for carrying fewer than 10 passengers and used for the transportation of persons for compensation. HB 2382 4

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In the event any additional motor vehicles equipped to use LP-gas as a fuel are placed in operation by a special LP-gas permit user after the first month of any calendar year, a tax shall become due and payable to this state and is hereby imposed at the tax rate prescribed herein prorated on the basis of the weight and mileage for the months operated in the calendar year. The director shall issue special permit decals for each motor vehicle on which taxes have been paid in advance as provided herein, which shall be affixed on each such vehicle in the manner prescribed by the director.

- Sec. 2. K.S.A. 2016 Supp. 79-34,118 is hereby amended to read as follows: 79-34,118. Upon application to the director of taxation and payment of the fee prescribed under this section any interstate motor fuel user may obtain a 24-hour motor fuel permit or a 72-hour motor fuel permit which shall authorize one commercial motor vehicle to be operated for a period of 24 hours or 72 hours, respectively, without compliance with the other provisions of the interstate motor fuel use act and in lieu of the tax imposed by K.S.A. 79-34,109, and amendments thereto. The fee for each 24-hour motor fuel permit issued under this section shall be \$13 until June 30, 2017, and \$18.50 thereafter. The fee for each 72-hour motor fuel permit issued under this section shall be \$25 until June 30, 2017, and \$35.50 thereafter. Motor fuel permits may be purchased in multiples of three upon making proper application and payment of the required fees. The secretary of revenue shall adopt rules and regulations specifying the conditions under which motor fuel permits will be issued and providing for the issuance thereof. The secretary may designate agents or contract with private individuals, firms or corporations to issue such motor fuel permits so that such permits will be obtainable at convenient locations.
- Sec. 3. K.S.A. 2016 Supp. 79-34,141 is hereby amended to read as follows: 79-34,141. (a) Prior to July 1, 2017, the tax imposed under this act shall be not less than:
- 30 (1) On motor-vehicle fuels other than E85 fuels, \$.24 per gallon, or fraction thereof;
 - (2) on special fuels, \$.26 per gallon, or fraction thereof;
 - (3) on LP-gas, other than compressed natural gas and liquefied natural gas, \$.23 per gallon, or fraction thereof;
 - (4) on E85 fuels, \$.17 per gallon, or fraction thereof;
 - (5) on compressed natural gas, \$.24 per gallon, or fraction thereof; and
 - (6) on liquefied natural gas, \$.26 per gallon, or fraction thereof.
- 39 (b) On and after July 1, 2017, the tax imposed under this act shall be 40 not less than:
- 41 (1) On motor-vehicle fuels other than E85 fuels, \$.35 per gallon, or 42 fraction thereof;
 - (2) on special fuels, \$.37 per gallon, or fraction thereof;

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1 on LP-gas, other than compressed natural gas and liquefied 2 natural gas, \$.34 per gallon, or fraction thereof;

- (4) on E85 fuels, \$.28 per gallon, or fraction thereof;
- (5) on compressed natural gas, \$.35 per gallon, or fraction thereof; and
 - (6) on liquefied natural gas, \$.37 per gallon, or fraction thereof.
- Sec. 4. K.S.A. 2016 Supp. 79-34,142 is hereby amended to read as follows: 79-34,142. The state treasurer shall credit amounts received pursuant to K.S.A. 79-3408, 79-3408c, 79-3491a, 79-3492 and 79-34,118, and amendments thereto, as follows:
- (a) Prior to July 1, 2017, to the state highway fund 66.37% and to the special city and county highway fund 33.63%;
- (b) beginning July 1, 2017, and prior to January 1, 2018, to the state highway fund 76.84% and to the special city and county highway fund 23.16%; and
- 16 (c) beginning January 1, 2018, and thereafter, to the state highway fund 76.78% and to the special city and county highway fund 23.22%. 17
- Sec. 5. K.S.A. 2016 Supp. 79-3492b, 79-34,118, 79-34,141 and 79-19 34,142 are hereby repealed.
- 20 Sec. 6. This act shall take effect and be in force from and after its 21 publication in the statute book.