

CHAPTER 368

(House Bill 844)

AN ACT concerning

New Tires – First Sale – Local Charges Prohibited

FOR the purpose of prohibiting certain units of local government from imposing certain charges on certain first sales of new tires.

BY repealing and reenacting, without amendments,

Article – Environment

Section 9-201(a), (b), and (r)

Annotated Code of Maryland

(1987 Replacement Volume and 1991 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9-228(g)(1)

Annotated Code of Maryland

(1987 Replacement Volume and 1991 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Environment

9-201.

(a) In this subtitle the following words have the meanings indicated.

(b) “First sale” means a sale of a new tire that is not a sale to a wholesaler or out-of-state retailer.

(r) “Tire dealer” means a person who sells new tires to:

(1) A seller of tires in the State that is not a tire wholesaler; or

(2) A consumer of a tire on which a recycling fee has not been paid.

9-228.

(g) (1) (I) Beginning on February 1, 1992, a tire recycling fee shall be imposed on the first sale of a new tire in the State by a tire dealer, including new tires sold as part of a new or used vehicle, trailer, farm implement, or other similar machinery.

(II) A COUNTY, MUNICIPAL CORPORATION, OR ANY AGENCY OF A COUNTY OR MUNICIPAL CORPORATION MAY NOT IMPOSE ANY TAX, FEE, OR OTHER CHARGE ON THE FIRST SALE OF A NEW TIRE BY A TIRE DEALER.