MADAM PRESIDENT:

I move that Engrossed House Bill 1002 be amended to read as follows:

Page 5, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 10. IC 6-3.5-4-2, AS AMENDED BY P.L.146-2016, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) An adopting entity of any county may, subject to the limitation imposed by subsection (f), adopt an ordinance to impose an annual license excise surtax on each motor vehicle listed in subsection (e) that:

(1) is registered in the county; and

(2) is not registered in an adopting municipality (as defined in IC 6-3.5-10-1) of the county while the municipal motor vehicle license excise surtax is in effect in the adopting municipality.

(b) If a county does not use a transportation asset management plan approved by the Indiana department of transportation, the adopting entity of the county may impose the surtax either:

(1) at a rate of not less than two percent (2%) nor more than ten percent (10%); or

(2) at a specific amount of at least seven dollars and fifty cents ($7.50) and not more than twenty-five dollars ($25).

However, the surtax on a vehicle may not be less than seven dollars and fifty cents ($7.50). The adopting entity shall state the surtax rate or amount in the ordinance which imposes the tax.

(c) If a county uses a transportation asset management plan approved by the Indiana department of transportation, the adopting entity of the county may impose the surtax either:

(1) at a rate of at least two percent (2%) and not more than twenty percent (20%); or

(2) at a specific amount of at least seven dollars and fifty cents
($7.50) and not more than fifty dollars ($50).

However, the surtax on a vehicle may not be less than seven dollars and fifty cents ($7.50). The adopting entity shall state the surtax rate or amount in the ordinance that imposes the tax.

(d) Subject to the limits and requirements of this section, the adopting entity may do any of the following:

(1) Impose the annual license excise surtax at the same rate or amount on each motor vehicle that is subject to the tax.

(2) Impose the annual license excise surtax on vehicles subject to the tax at one (1) or more different rates based on the class of vehicle listed in subsection (e).

(e) The license excise surtax applies to the following vehicles:

(1) Passenger vehicles.

(2) Motorcycles.

(3) Trucks with a declared gross weight that does not exceed eleven thousand (11,000) pounds.

(4) Motor driven cycles.

(f) The adopting entity may not adopt an ordinance to impose the surtax unless it concurrently adopts an ordinance under IC 6-3.5-5 to impose the wheel tax.

(g) Notwithstanding any other provision of this chapter or IC 6-3.5-5, ordinances adopted by a county council before June 1, 2013, to impose or change the annual license excise surtax and the annual wheel tax in the county remain in effect until the ordinances are amended or repealed under this chapter or IC 6-3.5-5.

SECTION 11. IC 6-3.5-4-3, AS AMENDED BY P.L.205-2013, SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. If an adopting entity adopts an ordinance imposing the surtax after December 31 but before July 1 of the following year, a motor vehicle is subject to the tax if it is registered in the county surtax applies after December 31 of the year in which the ordinance is adopted. If an adopting entity adopts an ordinance imposing the surtax after June 30 but before the following January 1, a motor vehicle is subject to the tax if it is registered in the county surtax applies after December 31 of the year following the year in which the ordinance is adopted. However, in the first year the surtax is effective, the surtax does not apply to the registration of a motor vehicle for the registration year that commenced in the calendar year preceding the year the surtax is first effective.

SECTION 12. IC 6-3.5-4-13, AS AMENDED BY P.L.146-2016, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. (a) In the case of a county that does not contain a consolidated city of the first class, the county treasurer shall deposit the surtax revenues in a fund to be known as the "_________ County Surtax Fund".

(b) Before the twentieth day of each month, the county auditor shall
allocate the money deposited in the county surtax fund during that
month among the county and the cities and the towns in the county that
are not adopting municipalities (as defined in IC 6-3.5-10-1) in
which the municipal motor vehicle license excise surtax is in effect.
The county auditor shall allocate the money to counties, cities, and
towns under IC 8-14-2-4(c)(1) through IC 8-14-2-4(c)(3), except that
for purposes of making the allocations:
(1) the population of a city or town that is an adopting
municipality in which the municipal motor vehicle license
excise surtax is in effect is considered to be zero (0);
(2) the street mileage of a city or town that is an adopting
municipality in which the municipal motor vehicle license
excise surtax is in effect is considered to be zero (0) miles; and
(3) the allocation to a city or town that is an adopting
municipality in which the municipal motor vehicle license
excise surtax is in effect is zero dollars ($0).
(c) Before the twenty-fifth day of each month, the county treasurer
shall distribute to the county and the cities and towns in the county the
money deposited in the county surtax fund during that month. The
county treasurer shall base the distribution on allocations made by the
county auditor for that month under subsection (b).
(d) A county, city, or town may only use the surtax revenues it
receives under this section:
(1) to construct, reconstruct, repair, or maintain streets and roads
under its jurisdiction; or
(2) for the county's, city's, or town's contribution to obtain a grant
from the local road and bridge matching grant fund under
IC 8-23-30.".

Section 14. IC 6-3.5-5-2, as amended by P.L.146-2016,
Section 9, is amended to read as follows [effective
July 1, 2017]: Sec. 2. (a) The adopting entity of any county may,
subject to the limitation imposed by subsection (b), adopt an ordinance
to impose an annual wheel tax on each vehicle that:
(1) is included in one (1) of the classes of vehicles listed in
section 3 of this chapter;
(2) is not exempt from the wheel tax under section 4 of this
chapter; and
(3) is registered in the county; and
(4) is not registered in an adopting municipality (as defined in
IC 6-3.5-11-1) of the county while the municipal wheel tax is
in effect in the adopting municipality.
(b) The adopting entity of a county may not adopt an ordinance to
impose the wheel tax unless it concurrently adopts an ordinance under
IC 6-3.5-4 to impose the annual license excise surtax.
(c) The adopting entity may impose the wheel tax at a different rate
for each of the classes of vehicles listed in section 3 of this chapter. In addition, the adopting entity may establish different rates within the classes of buses, semitrailers, trailers, tractors, and trucks based on weight classifications of those vehicles that are established by the bureau of motor vehicles for use throughout Indiana. However, the wheel tax rate for a particular class or weight classification of vehicles:

1. may not be less than five dollars ($5) and may not exceed forty dollars ($40), if the county does not use a transportation asset management plan approved by the Indiana department of transportation; or
2. may not be less than five dollars ($5) and may not exceed eighty dollars ($80), if the county uses a transportation asset management plan approved by the Indiana department of transportation.

The adopting entity shall state the initial wheel tax rates in the ordinance that imposes the tax.

SECTION 15. IC 6-3.5-5-5, AS AMENDED BY P.L.205-2013, SECTION 95, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. If an adopting entity adopts an ordinance imposing the wheel tax after December 31 but before July 1 of the following year, a vehicle described in section 2(a) of this chapter is subject to the wheel tax if it is registered in the county applies after December 31 of the year in which the ordinance is adopted. If an adopting entity adopts an ordinance imposing the wheel tax after June 30 but before the following January 1, a vehicle described in section 2(a) of this chapter is subject to the wheel tax if it is registered in the county applies after December 31 of the year following the year in which the ordinance is adopted. However, in the first year the tax is effective, the tax does not apply to the registration of a motor vehicle for the registration year that commenced in the calendar year preceding the year the tax is first effective.

SECTION 16. IC 6-3.5-5-15, AS AMENDED BY P.L.146-2016, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 15. (a) In the case of a county that does not contain a consolidated city, the county treasurer shall deposit the wheel tax revenues in a fund to be known as the "County Wheel Tax Fund". (b) Before the twentieth day of each month, the county auditor shall allocate the money deposited in the county wheel tax fund during that month among the county and the cities and the towns in the county that are not adopting municipalities (as defined in IC 6-3.5-11-1) in which the municipal wheel tax is in effect. The county auditor shall allocate the money to counties, cities, and towns under IC 8-14-2-4(c)(1) through IC 8-14-2-4(c)(3), except that for purposes of making the allocations:

1. the population of a city or town that is an adopting municipality in which the municipal wheel tax is in effect is
(2) the street mileage of a city or town that is an adopting municipality in which the municipal wheel tax is in effect is considered to be zero (0) miles; and

(3) the allocation to a city or town that is an adopting municipality in which the municipal wheel tax is in effect is zero dollars ($0).

(c) Before the twenty-fifth day of each month, the county treasurer shall distribute to the county and the cities and towns in the county the money deposited in the county wheel tax fund during that month. The county treasurer shall base the distribution on allocations made by the county auditor for that month under subsection (b).

(d) A county, city, or town may only use the wheel tax revenues it receives under this section:

(1) to construct, reconstruct, repair, or maintain streets and roads under its jurisdiction;

(2) as a contribution to an authority established under IC 36-7-23;

or

(3) for the county's, city's, or town's contribution to obtain a grant from the local road and bridge matching grant fund under IC 8-23-30."

Renumber all SECTIONS consecutively.
(Reference is to EHB 1002 as printed March 31, 2017.)