

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2881 Session of
1992

INTRODUCED BY DEMPSEY, LEH, RAYMOND, DeLUCA, SCHULER, CESSAR,
JOHNSON, ARMSTRONG, E. Z. TAYLOR, PESCI, FARGO, LAUGHLIN,
D. R. WRIGHT, HERMAN, JADLOWIEC, BUSH, STABACK, HESS, TRELLO,
CARLSON, NAHILL, REBER, ARGALL, FAIRCHILD, BATTISTO, ULIANA,
WILLIAMS, COY, MICOZZIE, PHILLIPS, M. N. WRIGHT, KASUNIC,
CLARK, NOYE, BELFANTI, SAURMAN, KING, DERMODY, ARNOLD, MELIO,
HAGARTY, D. W. SNYDER, STAIRS AND HALUSKA, JUNE 29, 1992

REFERRED TO COMMITTEE ON TRANSPORTATION, JUNE 29, 1992

AN ACT

1 Amending the act of May 21, 1931 (P.L.149, No.105), entitled, as
2 amended, "An act imposing a State tax, payable by those
3 herein defined as distributors, on liquid fuels used or sold
4 and delivered within the Commonwealth, which are practically,
5 and commercially suitable for use in internal combustion
6 engines for the generation of power; providing for the
7 collection and lien of the tax, and the distribution and use
8 of the proceeds thereof; requiring such distributors to
9 secure permits, to file corporate surety bonds and reports,
10 and to retain certain records; imposing duties on retail
11 dealers, common carriers, county commissioners, and such
12 distributors; providing for rewards; imposing certain costs
13 on counties; conferring powers and imposing duties on certain
14 State officers and departments; providing for refunds;
15 imposing penalties; and making an appropriation," further
16 providing for exemption from taxation.

17 The General Assembly of the Commonwealth of Pennsylvania
18 hereby enacts as follows:

19 Section 1. The act of May 21, 1931 (P.L.149, No.105), known
20 as The Liquid Fuels Tax Act, is amended by adding sections to
21 read:

22 Section 4.1. Requirements for Exemption.--(a) In order for

a political subdivision to purchase liquid fuels in bulk, tax exempt, the fuel must be purchased from a registered Commonwealth distributor, and the fuel must be placed in bulk storage facilities owned or leased by the political subdivision.

(b) When a school district owns or leases vehicles, whether or not the vehicles are operated by school district employees, the school district may purchase liquid fuels tax exempt from a Commonwealth registered distributor, if the fuel is placed in bulk storage facilities that are owned or leased by the school district.

(c) When liquid fuels are dispensed to a political subdivision from the bulk storage facilities of a registered distributor through a "private key controlled metering system," the liquid fuels may be tax exempt.

Section 4.2. Volunteer Services.--(a) In order for a volunteer fire company, volunteer ambulance service or volunteer rescue squad to purchase liquid fuel tax exempt, the fuel must be purchased from a registered Commonwealth distributor, and the fuel must be placed in bulk storage facilities on land either owned or leased, with full control thereover, by the volunteer fire company, volunteer ambulance service or volunteer rescue squad. The purchaser shall furnish notarized proof to the registered distributor that it is a volunteer fire company, a volunteer ambulance service or a volunteer rescue squad and that the fuel will be used solely for firefighting purposes and only in official equipment owned by the purchaser.

(b) If liquid fuels are dispensed to a volunteer fire company, volunteer ambulance service or volunteer rescue squad from the bulk storage facilities of a registered distributor through a "private key controlled metering system," the liquid

1 fuels may be tax exempt.

2 Section 2. This act shall take effect in 60 days.