

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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SENATE DRS85106-LBx-208 (3/3)

Short Title: Durham Motor Vehicle Tax. (Local)

Sponsors: Senator McKissick.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE CITY OF DURHAM TO COLLECT A MUNICIPAL TAX
3 FOR PUBLIC TRANSPORTATION OF TEN DOLLARS ON VEHICLES RESIDENT IN
4 THE CITY.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Section 1 of S.L. 2003-329, Section 1 of S.L. 2004-103, and S.L.
7 2008-31 are repealed.

8 **SECTION 2.(a)** Article 3 of the Charter of the City of Durham, being Chapter 671
9 of the Session Laws of 1975 is repealed, and a new Article is added to read:

10 "Article 3A. Other Taxes.

11 "Sec. 46.1. Municipal Vehicle Tax for Public Transportation. The City of Durham may levy
12 a tax of not more than five dollars (\$5.00) upon any vehicle resident in the city. The tax
13 authorized in this section is in addition to the general municipal vehicle tax authorized by
14 G.S. 20-97. The proceeds of the tax may be used only for financing, constructing, operating,
15 and maintaining local public transportation systems. The City of Durham shall use the proceeds
16 of the tax to supplement and not to supplant or replace existing funds or other resources for
17 public transportation systems."

18 **SECTION 2.(b)** G.S. 20-97(c) reads as rewritten:

19 "(c) Municipal Vehicle Tax for Public Transportation. – A city or town that operates a
20 public transportation system as defined in G.S. 105-550 may levy a tax of not more than five
21 dollars (\$5.00) per year upon any vehicle resident in the city or town. The tax authorized by
22 this subsection is in addition to the tax authorized by subsection (b) of this section. A city or
23 town may not levy a tax under this section, however, to the extent the rate of tax, when added
24 to the general motor vehicle taxes levied by the city or town under subsection (b) of this section
25 and under any local legislation, would exceed thirty dollars (\$30.00) per year. The proceeds of
26 the tax may be used only for financing, constructing, operating, and maintaining local public
27 transportation systems. Cities and towns shall use the proceeds of the tax to supplement and not
28 to supplant or replace existing funds or other resources for public transportation systems. This
29 subsection does not apply to the City of Durham or to the cities and towns in Gaston County."

30 **SECTION 3.** Section 1 of this act is effective when the City of Durham levies a tax
31 under Section 2 of this act. Sections 2 and 3 of this act are effective when they become law.

