

BEACON HILL WATCH 2016 (February 26, 2016 update) **189th General Court (2015-2016)**

MAAC has reviewed all the House and Senate Bills submitted to the 189th General Court which the Clerk's office began posting on March 10, 2015 and MAAC reviewed at the April 23, MAAC Meeting and determine which bills of interest MAAC should be following during the 189th General Court. MAAC's Lobbyist Jack Bartley has been retained by vote of the Board to facilitate passage of H3782, an Act relative to value of classic & antique vehicles in calculating sales tax.

Bill H.2522 By Colleen M. Garry of Dracut, an Act relative to the automobile excise tax

Amend Section 1 Chapter 60A replace the second sentence which contains the current table of values with "the value of the motor vehicle shall be the actual cost to the owner to purchase the vehicle and must be evidenced by a sworn written statement of the seller."

Petitioner: Colleen M. Garry

Joint Committee Hearing was held on 9/29/2015

Bill H.2695 By Chris Walsh of Framingham, an Act eliminating the excise tax in the 8th and succeeding years

Amend Section 1 Chapter 60A replace after "in the fifth" add "through the seventh year... 10%" then add at the end of the list, "in the eighth and succeeding years... none"

Petitioners: Chris Walsh, Josh S. Cutler, Leah Cole, Richard J. Ross, Kevin J. Kuros

Joint Committee Hearing was held on 9/29/2015



Bill H.2956 By Thomas J. Coulter of Kingston, an Act relative to antique boats, automobiles and motorcycles

Amend Section 1 Chapter 90 by inserting after the word ambulance the following definitions:....."

Petitioners: Thomas J. Calter, Josh S. Cutler, Carlos Gonzalez, Robert L. Hedlund, Steven S. Howitt, Michael O. Moore, Keiko M. Orrall, Dennis A. Rosa, Bruce E. Tarr, Chris Walsh

Joint Committee Hearing was held on 11/9/2015

Bill H.2973 By Angelo L D'Emilia of Bridgewater, an Act relative to noise regulations for motorcycles

Amend Section 16 Chapter 90 by appending with the following sentence, "In determining if a motorcycle is in compliance, the definitions, testing regulations, and maximum sound levels as defined in Chapter 90. Sections 7T, 7S, and 7U will be applied."

Petitioners: Angelo L. D'Emilia, Shawn Dooley, James R. Miceli, David T. Vieira, Bradford R. Hill, Bradley H. Jones, Jr., Paul McMurtry, Richard J. Ross, Carolyn C. Dykema, F. Jay Barrows, Mathew Muratore, Keiko M. Orrall, John V. Fernandes, Susan Williams Gifford, Todd M. Smola, Timothy R. Whelan, Benjamin Swan

Joint Committee Hearing was held on 11/9/2015

Bill H.3018 By Steven S. Howitt of Seekonk, an Act relative to historic route designation for U.S. Rtes. 1, 6 & 20

Section 1: Notwithstanding any general or special law to the contrary, U.S. Route 1, Route 20 and Route 6 shall be designated and known as historic United States Routes. MassDOT shall erect and maintain suitable markers bearing that designation in compliance with the standards of the department.

Petitioners: Steven S. Howitt, Sarah K. Peake, Carolyn C. Dykema

Joint Committee Hearing was held on 1/6/2016 – MAAC presented a letter of support for passage

Bill H.3022 By Louis L. Kafka of Sharon, an Act relative to the display of decorative number plates.

Section 1 of Chapter 90: amended to add a new definition for "Decorative Plate"; Section 2 amended if two plates are issued by the Registrar, to allow one plate to be attached to the rear and one to the front or may be returned by the owner to the Registrar; Section 3 amended that vehicles displaying one plate visible at the rear and not displaying one at the front of said vehicle may attach a decorative plate to the front of said vehicle.

Petitioners: Michael J. Hyde

Joint Committee Hearing was held on 2/24/2016

Bill H.3088 By Todd M. Smola of Palmer, establish a special historic Massachusetts highway commission

Section 1: Notwithstanding any general or special law to the contrary, establish a special commission to identify, preserve and commemorate historic roadways in Massachusetts.

Section 2: The commission shall identify historic roadways in Massachusetts as well as means for preserving and commemorating said roadways. Study results to be reported by December 31, 2016.

Petitioners: Michael J. Hyde

Joint Committee Hearing was held on 1/6/2016 – MAAC presented its position in support for passage

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Bill H.3091 By Theodore C. Speliotis of Danvers, an Act to further regulate motorcycle exhaust sound levels

Using ANSI S1.4-971 or any successor sound level meter specifications and measured in accordance with the provisions of the SAE International Recommended Practice SAE J2825 for On-Highway Motorcycles; 92 dBA at idle, 96 dBA @ 2000 rpm or 75% maximum engine speed whichever is less (3 or 4 or more cylinders); 100 dBA @ 5000 rpm or 75% maximum engine speed whichever is less (3 or 4 cylinders). **Petitioners:** Theodore C. Speliotis

Joint Committee Hearing was held on 11/9/2015 – letter sent to Rep. Speliotis on 6/29/2015 in support of this bill

Bill H.3097 By William M. Strauss of Mattapoisett, an Act relative to antique motor vehicle inspections

SECTION 1. Section 7A of Chapter 90: amended to exempt antique automobiles that are 75 years old or older, whose owners are members of a recognized automobile club, from the annual vehicle safety inspection program and a vehicle exempt under this section that changes ownership shall be required to have a vehicle safety inspection performed within 7 days of being registered by the new owner. **Petitioners:** William M. Straus

Referred to the committee on Transportation on 1/20/2015 with Senate concurring

Bill H.3514 By W. Pignatelli of Lenox, an Act relative to value of classic & antique vehicles in calculating sales tax

Would instruct the Commissioner of Revenue to establish new rules for assessing the values of cars over 25 years old.

Petitioners: William "Smitty" Pignatelli

Committee on Revenue Public Hearing held on 7/21/2015 with Rep. Pignatelli testifying.

Accompanied a new draft on 9/30/2015 see H3782 below

Bill H.3782 By W. Pignatelli of Lenox, an Act relative to value of classic & antique vehicles in calculating sales tax

1) Would instruct the Commissioner of Revenue to establish new rules for assessing the values of cars over 25 years old.
2) May establish other rules & regulations for accepting values below these values for other motor vehicles based on the condition of the vehicle at the time of sale or other factors as may be appropriate.

New Draft of H3514 reported from the committee on 9/30/2015 and was reported favorably by committee and

Referred to the committee on House Ways and Means on 9/30/2015

Bill S.1585 By Bruce E. Tarr of Gloucester, an Act relative to sales of automobiles

SECTION 1. Section 4 of Chapter 641: amended for purposes of determination, the sales price of any motor vehicle, except registered vendors, shall be the actual amount paid by the purchaser to the vendor as documented by a notarized bill of sale or the sales price shall be determined by the clean trade-in value if a notarized bill of sale is not provided. **Petitioners:** Bruce E. Tarr, Timothy R. Madden

Committee on Revenue Public Hearing was held on 7/21/2015

Bill S.1805 By William N. Brownsberger of Belmont, an Act relative to motor vehicle registration plates; single plate

SECTION 1. Section 2 of Chapter 90: amended by striking out the words "two number plates of suitable design" and inserting the words "one number plate of suitable design to be placed at the rear of the vehicle"

Petitioners: Richard Carlson

Referred to the committee on Transportation on 1/20/2015 with House concurring

Bill S.1830 By Anne M. Gobi of Spencer, an Act relative to Year of Manufacture Registration Plates

SECTION 1. Section 6 of Chapter 90: amend by inserting after the word "section" in line 40 the following: "However, the restoration of year of manufacture registration plates, painted and restored to their original year of manufacture colors and design, will not be considered altering such registration plates when used on antique automobiles.

Petitioners: Anne M. Gobi, Paul McMurty, Keiko M. Orrall

Referred to the committee on Transportation on 4/15/2015 with House concurring

Bill S.1834 By Anne M. Gobi of Spencer, an Act relative to street rods and custom vehicles

SECTION 1. Section 2H of Chapter 90: Amends the following Sections 2H, 7DD and 33 to address the issue of the original VIN being replaced with a MA VIN and other problems associated with registering and titling street rods and customs when the original street rod bill was passed into law. **Petitioners:** Anne M. Gobi, James R. Miceli

Referred to the committee on Transportation on 4/15/2015 with House concurring

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Bill S.1845 By Thomas P. Kennedy of Brockton, an Act relative to motorcycle noise

Using ANSI S1.4-971 or any successor sound level meter specifications and measured in accordance with the provisions of the SAE International Recommended Practice SAE J2825 for On-Highway Motorcycles; 92 dBA at idle, 96 dBA @ 2000 rpm or 75% maximum engine speed whichever is less (3 or 4 or more cylinders); 100 dBA @ 5000 rpm or 75% maximum engine speed whichever is less (3 or 4 cylinders) **Petitioners:** Thomas P. Kennedy

Joint Committee Hearing was held on 11/9/2015

SUMMARY:

Sales Tax of Antique Vehicles 25 years and older: H3514 was redrafted as H3782 would establish rules and regulations for vehicles 25 years and older based on the condition of the vehicle at the time of sale instead of the clean trade-in value as currently is currently practiced for private vehicle sales. This bill has already had its public hearing on 7/21 without MAAC being aware but petitioner Rep. "Smitty" Pignatelli testified. MAAC's Lobbyist Jack Bartley was charged to facilitate this bill after an email vote by your MAAC Board on 9/21 followed by a BOD meeting on 9/24. On 9/30 the original H3514 petition was redrafted as H3782 with changes adding a Section 2 for vehicles over 25 years and referencing the 2104 edition of chapter 461 of the General Laws. It was then reported favorably out of the Joint Revenue Committee and sent to Ways and Means on 9/30 where it is being held up due to perceived loss of tax revenue.

Sales price for non-dealer sales: S1585 attempts to correct the current practice of not recognizing notarized bills of sales for used vehicles in favor of NADA Black Book values which are based on collector auction sales. Committee on Revenue Public Hearing was also held on 7/21/2015.

Exhaust Noise: H3091 & S1845 which propose motorcycle noise standards and tests are identical submissions and had their public hearing before the Joint Transportation Committee on 11/09/2015 Both bills exclude motor vehicles and use nationally recognized test standards and procedures specific to motorcycles. Additionally, **H2973** spells out in Chapter 90 specific sections for these motorcycle noise testing rather than banning modified exhaust systems which will amplify or increase the noise emitted by the exhaust. MAAC did not respond or take a position when these two were heard at the public hearing before the Joint Transportation Committee on 11/9/2015. A letter of support on behalf of MAAC was sent to Rep. Speliotis on June 29.

Street Rods & Customs: S1834 was submitted to address the MA assigned VIN and titling requirements through the State Police inspection process in the original street rod bill when the vehicle has an original VIN and title. Dave Robson was attempting to address with the RMV, as well as the annual 3,000 mile and limited use restrictions for previously registered street rods & customs with antique or year of manufacture plates.

75 year an older antique vehicle safety inspection exemption: H3097 is self-explanatory, the exception being the 7 day inspection requirement when a change of ownership occurs.

Single Plate: H1805 would allow the use of a single rear plate on the rear of a vehicle when two plates are issued provided the second plate is returned to the RMV. Another bill **H3022** would allow the use of a decorative plate in place of the front plate.

Restoration of YOM Plates: S1830 successfully passed the House at the end of the 188th General Court but was stalled in the Senate Ways & Means Committee as the session ended and is back again introduced this time as a Senate Bill by Anne Gobi which means it may have an excellent chance of passing both sides with diligent guidance by MAAC and friendly legislators.

Excise Tax Bills: H2522 would set the value of the motor vehicle for excise tax purposes to be the actual cost to the owner while **H2695** would eliminate the excise tax in the 8th and succeeding years.

Historic Routes: H3018 would designate U.S. Routes 1, 6 & 20 as historic routes which would allow MADOT to erect historic route designation signs and maintain them while **H3088** would establish a historic roadway commission to study and make recommendations by Dec. 31, 2016. Public hearing schedule before the Joint Transportation Committee on 1/9/2016 and MAAC will submit a letter of support for both these bills.

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Exhaust Noise: H3091 & S1845 which propose motorcycle noise standards and tests are identical submissions and had their public hearing before the Joint Transportation Committee on 11/09/2015 Both bills exclude motor vehicles and use nationally recognized test standards and procedures specific to motorcycles. Additionally, **H2973** spells out in Chapter 90 specific sections for these motorcycle noise testing rather than banning modified exhaust systems which will amplify or increase the noise emitted by the exhaust. MAAC did not have to respond or take a position when these two bills had their public hearing before the Joint Transportation Committee on 11/9/2015 although I did send a letter of congratulations to Rep. Speliotis on behalf of MAAC on June 29 thanking him for getting it right this time.

Sales price for non-dealer sales: S1585 attempts to correct the current practice of not recognizing notarized bills of sales for used vehicles in favor of NADA Black Book values which are based on collector auction sales. Committee on Revenue Public Hearing was held on 7/21/2015.

Street Rods & Customs: S1834 was submitted to address the issues the original street rod bill created which Dave Robson was attempting to address with the RMV, namely that of the annual 3,000 mile and limited use restrictions for previously registered street rods & customs and with antique or year of manufacture plates. S1834 is currently submitted as a place holder bill with changes regarding VIN# and Title requirements through the current State Police inspection process. Most street rods and customs are now being registered with regular plates to avoid these conflicts. Additional changes may be introduced at the public hearing. No details yet as it is a work in progress and Dave may look for additional input.

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