

TRANSPORTATION: Coleman, Chair: Scott and Nystrom _____

FILED MAR 03 1987

SENATE FILE 309
BY JENSEN, FUHRMAN, and DRAKE

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act supporting business, industrial, and agricultural
2 development through transportation by the establishment of a
3 commercial network of highways funded by an increase in the
4 rate of excise taxes on motor fuel and special fuel, by the
5 creation of a comprehensive transportation development fund
6 consolidating the funding for railroads, aeronautics,
7 bikeways, recreational trails, commercial navigation, and
8 intermodal projects, by establishing an excise tax on
9 transportation fuels used by rail, air, and water
10 transportation, by establishing an excise tax on rail freight
11 transportation and providing for the registration of aircraft.
12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

13
14
15
16
17
18
19
20
21
22
23
24
25

SF 309

1 Section 1. PURPOSE. It is the purpose of this Act to sup-
2 port business, industrial and agricultural development in Iowa
3 by providing additional funding in support of all
4 transportation modes through a uniform addition to the excise
5 taxes paid on all types of transportation fuel and by
6 consolidating the funding of nonhighway transportation
7 projects through the establishment of a comprehensive
8 transportation development fund. It is intended that the
9 additional funding of all modes have the effect of making Iowa
10 more accessible to the rest of the nation and the world.

11 Sec. 2. Section 312.2, subsection 5, Code 1987, is amended
12 to read as follows:

13 5. The treasurer of state shall before making the above
14 allotments credit annually to the highway grade crossing
15 safety fund the sum of seven hundred thousand dollars, credit
16 ~~annually from the road use tax fund the sum of nine hundred~~
17 ~~thousand dollars to the highway railroad grade crossing~~
18 ~~surface repair fund~~; credit monthly to the primary road fund
19 the dollars yielded from an allotment of sixty-five hundredths
20 of one percent of all road use tax funds for the express
21 purpose of carrying out subsection 11 of section 307A.2,
22 section 313.4, subsection 2, and section 307.45, and credit
23 annually to the primary road fund the sum of five hundred
24 thousand dollars to be used for paying expenses incurred by
25 the state department of transportation other than expenses
26 incurred for extensions of primary roads in cities. All
27 unobligated funds provided by this subsection, ~~except those~~
28 ~~funds credited to the highway grade crossing safety fund~~,
29 shall at the end of each year following the year for which
30 they were appropriated revert to the road use tax fund. Funds
31 ~~in the highway grade crossing safety fund shall not revert to~~
32 ~~the road use tax fund except to the extent they exceed five~~
33 ~~hundred thousand dollars at the end of any biennium. The cost~~
34 ~~of each highway railroad grade crossing repair project shall~~
35 ~~be allocated in the following manner:~~

1 a--Twenty-percent-of-the-project-cost-shall-be-paid-by-the
2 railroad-company-

3 b--Twenty-percent-of-the-project-cost-shall-be-paid-by-the
4 highway-authority-having-jurisdiction-of-the-road-crossing-the
5 railroad-

6 c--Sixty-percent-of-the-project-cost-shall-be-paid-from
7 the-highway-railroad-grade-crossing-surface-repair-fund-

8 Sec. 3. Section 312.2, subsection 16, paragraph a, Code
9 1987, is amended to read as follows:

10 a. From the excise tax on motor fuel and special fuel
11 imposed under the tax rate of section 324.3 except aviation
12 gasoline:

13 Sec. 4. Section 315.2, Code 1987, is amended by adding the
14 following new subsection:

15 NEW SUBSECTION. 3. Notwithstanding section 453.7, subsec-
16 tion 2, interest or earnings on investments or time deposits
17 of the moneys in the RISE fund shall be credited to the RISE
18 fund.

19 Sec. 5. Section 324.2, Code 1987, is amended by adding the
20 following new subsection:

21 NEW SUBSECTION. 12. "Aviation gasoline" means any
22 gasoline capable of being used for propelling aircraft, which
23 is invoiced as aviation gasoline or is received, sold, stored,
24 or withdrawn from storage by any person for the purpose of
25 propelling aircraft.

26 Sec. 6. Section 324.3, unnumbered paragraph 1, Code 1987,
27 is amended to read as follows:

28 For the privilege of operating motor vehicles or aircraft
29 in this state an excise tax of ~~fifteen-cents-per-gallon-for~~
30 ~~the-period-beginning-July-17-1985-and-ending-December-31,~~
31 ~~1985,-and~~ sixteen cents per gallon for the period beginning
32 January 1, 1986 and ending June 30, 1987, eighteen cents per
33 gallon for the period beginning July 1, 1987 and ending June
34 30, 1988, and twenty cents per gallon beginning July 1, 1988,
35 is imposed upon the use of all motor fuel used for any purpose

1 except motor fuel containing at least ten percent alcohol
2 distilled from cereal grains grown in the United States for
3 the period beginning July 1, 1978 and ending June 30, 1992 and
4 except as otherwise provided in this division.

5 Sec. 7. Section 324.3, unnumbered paragraph 4, Code 1987,
6 is amended to read as follows:

7 For the privilege of operating motor vehicles in this state
8 an excise tax of ~~fourteen cents per gallon beginning July 1,~~
9 ~~1985 and ending December 31, 1985,~~ and fifteen cents per
10 gallon for the period beginning January 1, 1986 and ending
11 June 30, 1987, seventeen cents per gallon for the period
12 beginning July 1, 1987 and ending June 30, 1988, and nineteen
13 cents per gallon for the period beginning July 1, 1988 and
14 ending June 30, 1992, is imposed upon the use of gasohol used
15 for any purpose except as otherwise provided in this division.

16 Sec. 8. Section 324.16, unnumbered paragraph 1, Code 1987,
17 is amended to read as follows:

18 A distributor, dealer, or user licensed under this chapter
19 who has received motor fuel or has paid the tax on motor fuel
20 or special fuel ~~shall be~~ is entitled to a memorandum of credit
21 or refund, when the fuel is used for any purpose other than as
22 fuel for propelling motor vehicles or in watercraft or
23 aircraft, or, while owned by the licensee, is lost or
24 destroyed through accountable leakage or to fire, accident,
25 lightning, flood, storm, act of war, or public enemy or other
26 like cause. A memorandum of credit ~~shall be~~ is allowed
27 against subsequent liability under this chapter upon
28 application to the department supported by such proof as the
29 director prescribes by rule. If the licensee is no longer
30 engaged in activity for which the license was issued, the
31 department shall refund the appropriate amount upon receipt of
32 an application for refund as provided by the department.
33 Credits and refunds ~~shall be~~ are subject to the following
34 conditions:

35 Sec. 9. Section 324.17, unnumbered paragraph 1, Code 1987,

1 is amended to read as follows:

2 Any person other than a distributor, dealer or user
3 licensed under this chapter who uses motor fuel or special
4 fuel for the purpose of operating or propelling farm tractors,
5 corn shellers, roller mills, truck-mounted feed grinders,
6 stationary gas engines, ~~aircraft~~, for producing denatured
7 alcohol within the state, for cleaning or dyeing or for any
8 purpose other than in watercraft, aircraft, or for propelling
9 motor vehicles operated or intended to be operated upon the
10 public highways and who has paid the motor fuel or special
11 fuel tax on the fuel either directly to the department or by
12 having the tax added to the price of the fuel, and who has a
13 refund permit, upon presentation to and approval by the
14 department of a claim for refund, shall be reimbursed and
15 repaid the amount of the tax which the claimant has paid on
16 the gallonage so used, except that the amount of any refund
17 payable under this division may be applied by the department
18 against any tax liability outstanding on the books of the
19 department against the claimant. Every claim is subject to
20 the following conditions:

21 Sec. 10. Section 324.17, subsections 4, 5, 6, and 14, Code
22 1987, are amended to read as follows:

23 4. The claim shall state the gallonage of motor fuel or
24 special fuel that was used or will be used by the claimant
25 other than in watercraft, aircraft, or to propel motor
26 vehicles, the manner in which the motor fuel or special fuel
27 was used or will be used and the equipment in which it was
28 used or will be used.

29 5. The claim shall also state whether or not the claimant
30 used fuel for watercraft, aircraft, or to propel motor
31 vehicles from the same tanks or receptacles in which the
32 claimant kept the motor fuel on which the refund is claimed.

33 6. A refund ~~will~~ shall not be paid with respect to any
34 motor fuel or special fuel taken out of this state in fuel
35 supply tanks of watercraft, aircraft, or motor vehicles.

1 14. In lieu of the refund provided in this section, a
2 person may receive an income tax credit as provided in chapter
3 422, division IX, but only as to motor fuel or special fuel
4 not used in motor vehicles, aircraft, or watercraft.

5 Sec. 11. Section 324.18, Code 1987, is amended to read as
6 follows:

7 324.18 REFUND PERMIT.

8 A person shall not claim a refund under section 324.17 or
9 section 324.21 until the person has obtained a refund permit
10 from the department. A special permit shall be obtained by
11 applicants claiming a refund under this chapter on account of
12 motor fuel used ~~for the purpose of operating aircraft or used~~
13 to blend gasohol. Application for a refund permit shall be
14 made to the department on a form provided by the department,
15 shall be certified by the applicant under penalty for false
16 certificate and shall contain among other things, the name,
17 address, and occupation of the applicant, the nature of the
18 applicant's business, and a sufficient description for
19 identification of the machines and equipment in which is to be
20 used motor fuel for which refund may be claimed under the
21 permit. Each permit shall bear a separate number and each
22 claim for refund shall bear the number of the permit under
23 which it is made. The department shall keep a permanent
24 record of all permits issued and a cumulative record of the
25 amount of refund claimed and paid under each. A refund permit
26 shall continue in effect until it is revoked or becomes
27 invalid.

28 Sec. 12. Section 324.32, Code 1987, is amended to read as
29 follows:

30 324.32 PURPOSE.

31 The purpose of this division is to supplement division I of
32 this chapter, by imposing an excise tax upon the receipt,
33 delivery, or placing into the fuel supply tanks of motor
34 vehicles, aircraft, railway vehicles, or commercial watercraft
35 which are within this state and into motor vehicle special

1 fuel holding tanks which are within this state, of all fuels
2 not taxed under division I.

3 Sec. 13. Section 324.33, Code 1987, is amended to read as
4 follows:

5 324.33 DEFINITIONS.

6 As used in this division:

7 1. "Special fuel" means and includes fuel oils and all
8 combustible gases and liquids suitable for the generation of
9 power for propulsion of motor vehicles, turbine-powered
10 aircraft, railway vehicles, or commercial watercraft, also any
11 substance used for that purpose, except that it does not
12 include motor fuel as defined in the motor fuel tax law.

13 2. "Use" means the receipt, delivery or placing of special
14 fuels by a special fuel user into a supply fuel tank of a
15 motor vehicle, aircraft, railway vehicle, or commercial
16 watercraft while the vehicle, aircraft, or watercraft is in
17 this state or delivered into a motor vehicle special fuel
18 holding tank, except that with respect to natural gas used as
19 a special fuel "use" means the receipt, delivery or placing of
20 the natural gas into equipment for compressing the gas for
21 subsequent delivery into the fuel supply tank of a motor
22 vehicle.

23 3. "Special fuel dealer" means any person in the business
24 of handling special fuel who delivers any part thereof into a
25 fuel supply tank of any motor vehicle, aircraft, railway
26 vehicle, or commercial watercraft or delivers special fuel to
27 a motor vehicle special fuel holding tank.

28 4. "Special fuel user" means the owner or other person
29 responsible for the operation of a motor vehicle, aircraft,
30 railway vehicle, or commercial watercraft at the time special
31 fuel is placed in a fuel supply tank thereof while the
32 vehicle, aircraft, or watercraft is in this state or the owner
33 of a motor vehicle special fuel holding tank into which
34 special fuel is delivered to be used for highway use only or
35 in aircraft, railway vehicles, or commercial watercraft and

1 upon which special fuel the special fuel tax is paid upon
2 receipt.

3 5. "Licensed special fuel user" means and includes any
4 person licensed by the department who dispenses special fuel,
5 upon which the special fuel tax has not been previously paid,
6 for highway use or use in aircraft, railway vehicles, or
7 commercial watercraft from bulk sources owned and controlled
8 by the person into the fuel supply tank of a motor vehicle, or
9 commercial motor vehicle, aircraft, railway vehicle, or
10 commercial watercraft owned or controlled by the person. A
11 licensed special fuel user shall make bulk purchases of
12 special fuel for highway use or use in aircraft, railway
13 vehicles, or commercial watercraft only from a licensed
14 special fuel distributor, except that a licensed special fuel
15 user may purchase natural gas for highway use as a special
16 fuel from the piped distribution system of a public utility or
17 a pipeline company. The sale of natural gas by a public
18 utility or a pipeline company is not a sale of special fuel
19 requiring a special fuel distributor's license.

20 6. "Licensee" shall mean and include any person who holds
21 an uncanceled special fuel distributor license, special fuel
22 dealer license or special fuel user license, issued pursuant
23 to this division.

24 7. "Motor vehicle special fuel holding tank" means a tank
25 with a capacity of not more than one thousand fifty gallons
26 owned by or in the possession of a special fuel user in which
27 special fuel is contained for use by the special fuel user
28 only in a motor vehicle for highway use, or use in aircraft,
29 railway vehicles, or commercial watercraft.

30 8. "Special fuel distributor" means any person who sells
31 special fuel in this state in bulk for highway use, or use in
32 aircraft, railway vehicles, or commercial watercraft.

33 Delivery of special fuel into a motor vehicle special fuel
34 holding tank shall not be considered a bulk sale of special
35 fuel.

1 9. "Department" means the department of revenue and
2 finance.

3 10. "Director" means the director of revenue and finance.

4 11. "Urban transit system" means Iowa urban transit system
5 as defined in section 324.57, subsection 9.

6 12. "Regional transit system" means regional transit
7 system as defined in section 324.57, subsection 11.

8 13. "Commercial watercraft" means a ship, barge, or
9 waterborne vessel which is used primarily in or for the
10 transportation of property or cargo, or the conveyance of
11 persons for hire on rivers bordering on the state.

12 Sec. 14. Section 324.34, Code 1987, is amended to read as
13 follows:

14 324.34 TAX IMPOSED.

15 For the privilege of operating motor vehicles, aircraft,
16 railway vehicles, or commercial watercraft in this state,
17 there is imposed an excise tax on the use, as defined in
18 section 324.33, of special fuel in a motor vehicle, aircraft,
19 railway vehicle, or commercial watercraft. The tax rate on
20 special fuel for diesel engines of motor vehicles is sixteen
21 and-one-half-cents-per-gallon-for-the-period-beginning-July-1-
22 1985-and-ending-December-31,-1985,-is-seventeen-and-one-half
23 cents-per-gallon-for-the-period-beginning-January-1,-1986-and
24 ending-December-31,-1986,-and-is eighteen and one-half cents
25 per gallon for the period beginning January 1, 1987 and ending
26 June 30, 1987, is twenty and one-half cents per gallon for the
27 period beginning July 1, 1987 and ending June 30, 1988, and is
28 twenty-two and one-half cents per gallon beginning July 1,
29 1988. The tax rate on special fuel for aircraft, railway
30 vehicles, and commercial vessels is two cents per gallon for
31 the period beginning July 1, 1987 and ending June 30, 1988,
32 and four cents per gallon beginning July 1, 1988. On all
33 other special fuel the per gallon rate is the same as the
34 motor fuel tax.

35 The tax, with respect to all special fuel delivered by a

1 special fuel dealer for use in this state as defined by
2 section 324.33, shall attach at the time of the delivery and
3 shall be collected by the dealer from the special fuel user
4 and paid over to the department as provided in this chapter.
5 The tax, with respect to special fuel acquired by a special
6 fuel user in any manner other than by delivery by a special
7 fuel dealer into a fuel supply tank of a motor vehicle,
8 aircraft, railway vehicle, or commercial watercraft or
9 delivery into a motor vehicle special fuel holding tank by a
10 special fuel dealer or distributor, attaches at the time of
11 the use, as defined in section 324.33, of the fuel and shall
12 be paid over to the department by the user as provided in this
13 chapter.

14 All deliveries by distributors of special fuel to be used
15 for highway use or use in aircraft, railway vehicles, or
16 commercial watercraft, except deliveries into a motor vehicle
17 special fuel holding tank, must be made into storage connected
18 to a sealed meter pump as licensed in said section. Special
19 fuel delivered to a motor vehicle special fuel holding tank of
20 a special fuel user by a distributor shall be metered upon
21 delivery and the special fuel tax shall be collected by the
22 distributor and paid over to the department.

23 The department shall make reasonable rules governing the
24 dispensing of special fuel by distributors, special fuel
25 dealers and licensed special fuel users. The department shall
26 require that all pumps located at special fuel dealer
27 locations and licensed special fuel user locations through
28 which fuel oil or liquefied petroleum gas can be dispensed, be
29 metered, inspected, tested for accuracy, sealed and licensed
30 by the state department of agriculture and land stewardship,
31 and that special fuel delivered into the fuel supply tank of
32 any motor vehicle, aircraft, railway vehicle, or commercial
33 watercraft or into a motor vehicle special fuel holding tank
34 shall be dispensed only through tested metered pumps and may
35 be sold without temperature correction or corrected to a

1 temperature of sixty degrees. If the metered gallonage is to
2 be temperature corrected, only a temperature compensated meter
3 shall be used.

4 The deliberate heating of road taxable motor fuel or
5 special fuel by dealers prior to consumer sale is a simple
6 misdemeanor.

7 All gallonage not for nonhighway highway use or use in
8 aircraft, railway vehicles, or commercial watercraft,
9 dispensed through metered pumps as licensed above, on which
10 special fuel tax is not collected, must be substantiated by
11 nonhighway exemption certificates as provided by the
12 department, signed by the purchaser, and retained by the
13 dealer.

14 For the privilege of purchasing special fuel, dispensed
15 through metered pumps as licensed above, on a basis exempt
16 from the special fuel tax, the purchaser shall sign nonhighway
17 exemption certificates for the gallonage claimed for
18 nonhighway use other than highway use or use in aircraft,
19 railway vehicles, or commercial watercraft.

20 The department will disallow all sales said to be for
21 nonhighway use other than highway use or use in aircraft,
22 railway vehicles, or commercial watercraft unless proof is
23 established by the retention of said certificate.

24 Certificates for nonhighway use other than highway use or use
25 in aircraft, railway vehicles, or commercial watercraft sales
26 must be retained by the dealer for a period of three years.

27 For natural gas used as a special fuel the rate of tax that
28 is equivalent to the motor fuel tax shall be ~~thirteen~~ sixteen
29 cents per hundred cubic feet adjusted to a base temperature of
30 sixty degrees Fahrenheit and a pressure of fourteen and
31 seventy-three hundredths pounds per square inch absolute. The
32 tax on natural gas shall attach at the time of delivery into
33 equipment for compressing the gas for subsequent delivery into
34 the fuel supply tank of a motor vehicle and shall be paid over
35 to the department by the person operating the compressing

1 equipment under the applicable provisions for users or
2 dealers. Natural gas used as a special fuel shall be
3 delivered into compressing equipment through sealed meters
4 certified for accuracy by the department of agriculture and
5 land stewardship.

6 A person shall not deliver any special fuel into the fuel
7 supply tank of a motor vehicle registered in Iowa on or after
8 March 15, 1983 unless there is a special fuel user
9 identification sticker affixed in a prominent place on the
10 vehicle adjacent to the place where the special fuel is
11 delivered into the tank or unless the motor vehicle is
12 registered under chapter 326.

13 Except for deliveries to a licensed special fuel dealer or
14 licensed special fuel user or deliveries on which the special
15 fuel tax is paid at the time of delivery it is unlawful to
16 deliver liquefied petroleum gas into any tank which has a
17 valve or other outlet capable of transferring the liquefied
18 petroleum gas into the fuel supply tank of a motor vehicle
19 unless the person making the delivery receives a written
20 statement from the recipient of the fuel which states that the
21 recipient knows that the use of liquefied petroleum gas for
22 highway purposes for which the special fuel tax has not been
23 paid is unlawful.

24 Sec. 15. Section 324.36, subsections 1 and 2, Code 1987,
25 are amended to read as follows:

26 1. REQUIRED. It is unlawful for a person to act as a
27 special fuel dealer in this state unless the person holds a
28 special fuel dealer's license issued to the person by the
29 department, except as provided in this section. A person who
30 holds a special fuel distributor's license may dispense
31 special fuel into a motor vehicle special fuel holding tank
32 without obtaining a special fuel dealer's license. Except for
33 special fuel which is delivered by a special fuel dealer into
34 a fuel supply tank of a motor vehicle, aircraft, railway
35 vehicle, or commercial watercraft or into a motor vehicle

1 special fuel holding tank in this state or delivered by a
2 special fuel distributor into a motor vehicle special fuel
3 holding tank, the use of special fuel in this state by a
4 person is unlawful unless the person holds a special fuel
5 user's license issued to the person by the department. It is
6 unlawful for a person to sell special fuel in this state in
7 bulk for highway use or for use in aircraft, railway vehicles,
8 or commercial watercraft without first obtaining a special
9 fuel distributor's license. The license shall be issued under
10 the same procedure and subject to the same requirements and
11 limitations as provided in section 324.4.

12 2. APPLICATION. Application for a special fuel dealer's
13 license or a special fuel user's license shall be made to the
14 department. A special fuel dealer's license or a special fuel
15 user's license, whichever is applicable, shall be required for
16 each separate place of business or location where special
17 fuels are regularly delivered or placed into the fuel supply
18 tank of a motor vehicle, aircraft, railway vehicle, or
19 commercial watercraft. Provided, that if a special fuel
20 dealer also operates one or more bulk plants from which the
21 distribution of a special fuel is primarily by tank vehicle,
22 the special fuel dealer need not obtain a separate license for
23 any of these plants not provided with fixed equipment designed
24 for fueling vehicles, aircraft, railway vehicles, or
25 commercial watercraft. Upon written application and at the
26 discretion of the director, a special fuel user whose business
27 operations require mobile special fuel storage may obtain a
28 single special fuel user's license to be issued to the user's
29 permanent principal place of business.

30 Sec. 16. NEW SECTION. 324.52A FUEL IMPORTED FOR OTHER
31 VEHICLES.

32 A person shall not bring into this state in the fuel supply
33 tanks of a railway vehicle, commercial vessel or aircraft,
34 regardless of whether or not the supply tanks are connected to
35 the motor of the vehicle, vessel or aircraft, any special fuel

1 to be used in the operation of the vehicle, vessel or aircraft
2 in this state unless that person has paid or made arrangements
3 in advance with the state department of transportation for
4 payment of Iowa fuel taxes on the gallonage consumed in
5 operating the vehicle, vessel or aircraft in this state.

6 Sec. 17. NEW SECTION. 324.52B TAX LIABILITY -- PAYMENT.

7 For the purpose of determining the tax liability under this
8 division, the operator of each railway vehicle, commercial
9 vessel or aircraft shall file with the department a monthly
10 report. The report shall be filed by the end of the month
11 following the month of use and shall include information as
12 required by the department of revenue and finance to establish
13 the amount of special fuel used in this state and the amount
14 of tax due. The report shall be accompanied by a payment
15 equal to the tax due. The taxable gallons of special fuel
16 shall be computed by multiplying the total gallons of special
17 fuel used in railway vehicles, commercial vessels and aircraft
18 traveling within and without Iowa by a fraction the numerator
19 of which is miles traveled in this state and the denominator
20 of which is total miles traveled by these vehicles. The tax
21 shall be computed by multiplying the taxable gallons times the
22 tax rate specified in section 324.34 and subtracting any tax
23 paid at the time of use. The department of revenue and
24 finance shall adopt rules to define acceptable methods for
25 estimating total miles traveled in this state.

26 Sec. 18. Section 324.79, unnumbered paragraph 1, Code
27 1987, is amended to read as follows:

28 The net proceeds of the excise tax on the diesel special
29 fuel and the excise tax on motor fuel and other special fuel,
30 and penalties collected under the provision of this chapter,
31 shall be credited to the road use tax fund. The treasurer of
32 state, before crediting the above tax proceeds to the road use
33 tax fund, shall credit from the taxes collected for motor
34 vehicle use to the commercial network development fund the
35 amount of excise tax collected from the tax of two cents per

1 gallon for the period from July 1, 1987 through June 30, 1988,
2 and from the tax of four cents per gallon beginning July 1,
3 1988.

4 Sec. 19. Section 324.82, Code 1987, is amended to read as
5 follows:

6 324.82 AVIATION-GAS COMPREHENSIVE TRANSPORTATION FUEL TAX
7 FUND.

8 The portion of the moneys collected under the provisions of
9 this chapter received on account of aviation gasoline and
10 special fuel used in aircraft, railway vehicles, or commercial
11 watercraft shall be deposited in a separate fund to be
12 maintained by the treasurer. All moneys-reimbursed-and-repaid
13 ~~pursuant-to-section-324.17-or-transferred-pursuant-to-section~~
14 ~~422.112-on-account-of-motor-fuel-used-for-the-purpose-of~~
15 ~~operating-aircraft-shall-be-paid-from-said-separate-fund-and~~
16 ~~all~~ moneys remaining in said the separate fund after all
17 claims for refund and the cost of administering said the fund
18 have been paid shall be credited to the state-aviation
19 comprehensive transportation development fund.

20 Sec. 20. Section 327G.15, Code 1987, is amended to read as
21 follows:

22 327G.15 RAILWAY AND HIGHWAY CROSSING AT GRADE.

23 Wherever a railway track crosses or shall hereafter cross a
24 highway, street or alley, the railway corporation owning such
25 track and the department, in the case of primary highways, the
26 board of supervisors of the county in which such crossing is
27 located, in the case of secondary roads, or the council of the
28 city, in the case of streets and alleys located within a city,
29 may agree upon the location, manner, vacation, physical
30 structure, characteristics and maintenance of the crossing and
31 flasher lights or gate arm signals at the crossing and
32 allocation of costs thereof. ~~The department shall become a~~
33 ~~party-to-the-agreement-if-grade-crossing-safety-funds-are-to~~
34 ~~be-used.--Up-to-seventy-five-percent-of-the-maintenance-cost~~
35 ~~of-flasher-lights-or-gate-arm-signals-at-the-crossing-and-an~~

1 unlimited-portion-of-the-cost-of-installing-flasher-lights-or
2 gate-arm-signals-at-the-crossing-may-be-paid-from-the-grade
3 crossing-safety-fund.

4 Notwithstanding-other-provisions-of-this-section,
5 maintenance Maintenance of flasher lights or gate signals
6 installed-or-ordered-to-be-installed-before-July-17-1973,
7 shall be assumed wholly by the railroad corporation.

8 Payments-from-the-grade-crossing-safety-fund-shall-be-made
9 by-the-treasurer-of-state-upon-certification-by-the-department
10 that-the-terms-of-the-agreement-have-been-followed.

11 The-department-shall-promulgate-rules-according-to-chapter
12 17A-for-processing-claims-to-the-grade-crossing-safety-funds.

13 The provisions of this section shall not apply to the
14 repair of the grade crossing surface.

15 Sec. 21. Section 327G.29, Code 1987, is amended to read as
16 follows:

17 327G.29 GRADE CROSSING SURFACE REPAIR FUND.

18 1. There is established a highway railroad grade crossing
19 surface repair fund in the office of the treasurer of state.

20 The department may credit to this fund:

21 1 a. Moneys appropriated to the department from the
22 general fund of the state.

23 2 b. Moneys appropriated to the department from the road
24 use tax fund, the comprehensive transportation development
25 fund, or the primary road fund.

26 3 c. Available federal funds.

27 4 d. Moneys acquired by the department from any gift,
28 grant, or contributions from any source.

29 2. The cost of each highway railroad grade crossing repair
30 project shall be allocated in the following manner:

31 a. Twenty percent of the project cost shall be paid by the
32 railroad company.

33 b. Twenty percent of the project cost shall be paid by the
34 highway authority having jurisdiction of the road crossing the
35 railroad.

1 c. Sixty percent of the project cost shall be paid from
2 the highway railroad grade crossing surface repair fund.

3 3. Notwithstanding the provisions of section 8.33
4 unencumbered funds remaining in the highway railroad grade
5 crossing surface repair fund at the close of each fiscal year
6 ending on June 30 shall revert to the road-use-tax-fund funds
7 from which they came.

8 Sec. 22. Section 327G.30, Code 1987, is amended to read as
9 follows:

10 327G.30 ADJUSTMENT OF EXPENSE.

11 If a grade crossing surface of a railroad track and a
12 highway, street, or alley shall require repairs or
13 maintenance, the costs for the maintenance may be paid as
14 provided in section ~~312.2~~ 327G.29, subsection 5 2.

15 If the railroad corporation and the jurisdiction having
16 authority agree on the method of crossing maintenance and
17 establish an agreement to each contribute costs as provided in
18 section ~~312.2~~ 327G.29, subsection 5 2, a copy of the agreement
19 shall be filed with the department which shall allocate an
20 amount of the cost for the work if funds are available in the
21 highway railroad grade crossing surface repair fund. The
22 department shall make appropriate notification if the fund is
23 exhausted in which case agreements shall not be made under
24 this section until additional funds are available. The fund
25 shall be administered by the department.

26 Upon completion of the agreed repair work, a statement of
27 costs shall be filed with the department by the railroad
28 corporation in a form and manner prescribed by the department.
29 The department, upon approval of the statement, shall pay to
30 the railroad corporation an amount of the cost of the work
31 from the highway railroad grade crossing surface repair fund
32 as provided in section ~~312.2~~ 327G.29, subsection 5 2. The
33 owner of the track and the jurisdiction entering into the
34 agreement shall each pay the cost as provided in section ~~312.2~~
35 327G.29, subsection 5 2.

1 Sec. 23. Section 328.1, Code 1987, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 23. "Owner" means any person owning or
4 renting an aircraft, or having the exclusive use thereof,
5 under a lease or otherwise, for a period greater than thirty
6 days.

7 Sec. 24. Section 328.12, subsection 1, Code 1987, is
8 amended to read as follows:

9 1. Promotion of aeronautics. Encourage, foster, and
10 assist in the general development and promotion of aeronautics
11 in this state, and make disbursements from the ~~state-aviation~~
12 comprehensive transportation development fund for such
13 purposes.

14 Sec. 25. Section 328.20, Code 1987, is amended to read as
15 follows:

16 328.20 REGISTRATION OF AIRCRAFT.

17 Every civil aircraft owned either wholly or in part by
18 persons residing in this state, or most frequently hangered,
19 dispatched, serviced, maintained, operated or otherwise
20 controlled within the boundaries of the state, unless
21 specifically excepted under ~~the-provisions-of~~ this chapter,
22 shall be registered annually with the department, by the owner
23 thereof.

24 The registration year commences on the first day of the
25 calendar month in which the civil aircraft is registered for
26 the first time in this state and ends on the last day of the
27 twelfth month following registration.

28 For aircraft registered in this state before July 1, 1987
29 the registration year begins on the first day of the calendar
30 month assigned by the department and ends on the last day of
31 the twelfth month following registration.

32 Sec. 26. Section 328.21, subsections 2 and 6, Code 1987,
33 are amended to read as follows:

34 2. After ~~said~~ the aircraft has been registered once, the
35 registration fee shall be seventy-five percent of the rate as

1 fixed for the first registration; after two times fifty
2 percent; and after three times twenty-five percent; provided,
3 however, that no aircraft shall be registered for a
4 registration fee of less than ~~fifteen~~ thirty-five dollars.

5 6. Any aircraft thirty years old, or older, which is used
6 exclusively for noncommercial purposes shall be registered as
7 an antique aircraft for a registration fee of ~~fifteen~~ thirty-
8 five dollars.

9 Sec. 27. Section 328.21, subsection 3, Code 1987, is
10 amended by striking the subsection.

11 Sec. 28. Section 328.21, Code 1987, is amended by adding
12 the following new subsection:

13 NEW SUBSECTION. 7. An aircraft, unless exempted in
14 section 328.35, which has become damaged, is unairworthy and
15 is not in flying condition shall not be subject to the
16 registration fees provided the owner of the aircraft submits
17 to the department, along with the registration application, an
18 affidavit describing the aircraft, its condition, and the
19 reason for the aircraft not being in operating condition, and
20 furnishes other information as required by the department to
21 determine that the aircraft is not using the air space
22 overlying the state or the airports. Upon receipt of the
23 application and affidavit, the department shall issue to the
24 owner a certificate which states that the fee has not been
25 paid and that the aircraft shall not use the air space
26 overlying the state or the airports until the fee has been
27 paid.

28 Sec. 29. Section 328.24, unnumbered paragraph 2, Code
29 1987, is amended to read as follows:

30 The registration fee for the unexpired portion of the
31 registration year shall be refunded pro rata to the nearest
32 full calendar month.

33 Sec. 30. Section 328.27, Code 1987, is amended to read as
34 follows:

35 328.27 ISSUANCE OF CERTIFICATES.

1 The department shall ~~forthwith-cause-to-be-issued~~ issue,
2 upon receipt of proper application and fee for registration, a
3 certificate of registration which shall be numbered and
4 recorded by the department, shall state the name and address
5 of the person to whom it is issued, shall be entitled with the
6 designation of the class of registrant covered ~~thereby~~ and
7 shall contain ~~such~~ other information as the department may
8 prescribe including, in the case of aircraft, a description
9 ~~thereof~~. Every certificate of registration or special
10 certificate issued ~~hereunder~~ shall expire at midnight on the
11 ~~thirtieth-day-of-June-of-each-year~~ last day of the twelfth
12 month of the registration year specified.

13 Sec. 31. Section 328.32, Code 1987, is amended to read as
14 follows:

15 328.32 EXPIRATION OF SPECIAL CERTIFICATE.

16 Every special certificate issued ~~hereunder~~ shall expire at
17 midnight on the ~~thirtieth-day-of-June-of-each~~ last day of the
18 registration year, and a new special certificate for the
19 ensuing year may be obtained by the person to whom any ~~such~~
20 expired special certificate was issued, upon application to
21 the department, and payment of the fee provided by law.

22 Sec. 32. Section 328.35, subsection 1, Code 1987, is
23 amended by adding the following new lettered paragraph:

24 NEW LETTERED PARAGRAPH. d. A homebuilt aircraft which has
25 not yet been assembled and has not been issued an air-
26 worthiness certificate by the federal aviation administration.

27 Sec. 33. Section 328.48, Code 1987, is amended to read as
28 follows:

29 328.48 ATTACHMENT OF LIEN.

30 The lien of the original registration fee shall attach at
31 the time the same is ~~first~~ payable as provided by law and the
32 lien of all renewals of registration shall attach on ~~July-17~~
33 the first day of each registration year thereafter.

34 Sec. 34. Section 328.50, Code 1987, is amended to read as
35 follows:

1 328.50 PENALTY ON DELINQUENT REGISTRATION.

2 On ~~August-1-of-each-year~~ the first day of the second month
3 following the end of the month of an aircraft registration
4 period, a penalty of five percent of the annual registration
5 fee shall be added to all fees not paid by that date, and five
6 percent of the annual registration fee shall be added to such
7 fees on the first day of each month thereafter, that the same
8 remains unpaid until paid, provided that said penalty in no
9 case shall be less than one dollar.

10 Sec. 35. NEW SECTION. 328.56A STAGGERED REGISTRATION --
11 IMPLEMENTATION.

12 To implement the change from fiscal year registration to
13 the registration system provided for in this chapter, aircraft
14 registered after July 1, 1987 shall be registered as follows:

15 1. Aircraft shall be registered for the registration year
16 as defined in this chapter. If the registration period is for
17 a period of less than twelve months, the registration fee
18 shall be prorated for the remaining unexpired months, except
19 as provided in subsection 2.

20 2. The owner of an aircraft for which the registration
21 year begins on August 1 may elect to register the aircraft for
22 a period of one month or thirteen months. The owner of an
23 aircraft for which the registration year begins on September 1
24 may elect to register the aircraft for a period of two months
25 or fourteen months. The owner of an aircraft for which the
26 registration year begins on October 1 may elect to register
27 the aircraft for a period of three months or fifteen months.

28 Sec. 36. Section 422.110, subsection 1, Code 1987, is
29 amended to read as follows:

30 1. Motor fuel as defined in section 324.2, subsection 1,
31 used for the purpose of operating or propelling farm tractors,
32 corn shellers, roller mills, truck-mounted feed grinders,
33 stationary engines, ~~aircraft~~, for producing denatured alcohol
34 within the state, for cleaning or dyeing, or for any purpose
35 other than in watercraft, aircraft, or in motor vehicles

1 operated or intended to be operated upon the public highways.

2 Sec. 37. Section 422.110, unnumbered paragraph 2, Code
3 1987, is amended to read as follows:

4 However, no credit shall be given with respect to motor
5 fuel taken out of the state in fuel supply tanks of motor
6 vehicles, motor fuel used in aircraft or watercraft, or motor
7 fuel used in the performance of a contract which is paid out
8 of state funds unless the contract for the work contains a
9 certificate made under penalty for false certificate that the
10 estimate, bid or price to be paid for the work includes no
11 amount representing motor fuel tax subject to a credit. The
12 right to a credit under this section is not assignable and the
13 credit may be claimed only by the person or corporation that
14 purchased the fuel.

15 Sec. 38. Section 422.111, unnumbered paragraph 1, Code
16 1987, is amended to read as follows:

17 The fuel tax credit may be applied against the income tax
18 liability of the person or corporation as determined on the
19 tax return filed for the year in which the fuel tax was paid.
20 ~~The fuel tax credit for tax paid on motor fuel used for the~~
21 ~~purpose of operating aircraft must be itemized separately.~~
22 The department shall provide forms for claiming the fuel tax
23 credit. If the fuel tax credit would result in an overpayment
24 of income tax, the person or corporation may apply for a
25 refund of the amount of overpayment or may have the
26 overpayment credited to income tax due in subsequent years.
27 Each person or corporation that claims a fuel tax credit shall
28 maintain the original invoices showing the purchase of the
29 fuel on which a credit is claimed. No invoice is acceptable
30 in support of a claim for credit unless it is a separate
31 serially numbered invoice covering no more than one purchase
32 of motor fuel or special fuel, prepared by the seller on a
33 form approved by the department, nor unless it is legibly
34 written with no corrections or erasures and shows the date of
35 sale, the name and address of the seller and of the purchaser,

1 the kind of fuel, the gallonage in figures, the per gallon
2 price of the fuel, the total purchase price including the Iowa
3 fuel tax, and that the total purchase price has been paid.
4 However, as to refund invoices made on a billing machine the
5 department may waive these requirements. If an original
6 invoice is lost or destroyed, the department may approve a
7 credit supported by a copy identified and certified by the
8 seller as being a true copy of the original. Each person or
9 corporation that claims a fuel tax credit shall maintain
10 complete records of purchases of motor fuel or special fuel on
11 which Iowa fuel tax was paid, and for which a fuel tax credit
12 is claimed.

13 Sec. 39. Section 422.112, Code 1987, is amended to read as
14 follows:

15 422.112 AIRCRAFT FUEL TAX TRANSFER.

16 The department shall certify quarterly to the treasurer of
17 state the amount of credit that has been taken against income
18 tax liability since the time of the last certification, for
19 the Iowa fuel tax paid on motor fuel, and special fuel and
20 ~~motor-fuel-used-for-the-purpose-of-operating-aircraft~~, and the
21 treasurer of state shall transfer the amount of the total
22 credit from the motor fuel tax fund, ~~or in the case of~~
23 ~~aircraft-motor-fuel, from the separate fund established by~~
24 ~~section-324-82~~, to the general fund of the state.

25 Sec. 40. NEW SECTION. 315A.1 DEFINITIONS.

26 As used in this chapter, unless the context otherwise re-
27 quires:

- 28 1. "Commission" means the state transportation commission.
- 29 2. "Department" means the state department of trans-
30 portation.
- 31 3. "Fund" means the commercial network development fund.

32 Sec. 41. NEW SECTION. 315A.2 COMMERCIAL NETWORK OF HIGH-
33 WAYS.

34 The commission shall establish within the primary road sys-
35 tem a commercial network of highways.

1 Sec. 42. NEW SECTION. 315A.3 COMMERCIAL NETWORK DEVELOP-
2 MENT FUND.

3 A commercial network development fund is created, which
4 includes:

5 1. All motor fuel and special fuel excise taxes credited
6 by law to the fund.

7 2. All other funds by law credited to the fund.

8 Notwithstanding section 453.7, subsection 2, interest or
9 earnings on investments or time deposits of the funds in
10 moneys in the fund shall be credited to the fund.

11 Notwithstanding section 8.33, funds remaining in the fund
12 at the end of the fiscal year shall be carried forward in the
13 fund to the next fiscal year.

14 Sec. 43. NEW SECTION. 315A.4 USE OF FUND.

15 The fund is appropriated for and shall be used in the es-
16 tablishment, construction, and improvement of the commercial
17 network of highways. The commission shall select projects to
18 be financed for full or partial financing from the fund. Such
19 financing shall be in addition to and may be combined with
20 funds from the primary road fund or other sources.

21 Sec. 44. NEW SECTION. 315A.5 MONTHLY CERTIFICATION OF
22 FUNDS.

23 The account of the fund shall be kept by the department of
24 revenue and finance and the treasurer of state and shall show
25 the amount of the fund including all credits to the fund and
26 disbursements from the fund. Upon certification by the
27 department in accordance with rules adopted by the department
28 of revenue and finance, the department of revenue and finance
29 shall issue warrants for disbursements from the fund.

30 Sec. 45. NEW SECTION. 315A.6 ACCOUNTS AND RECORDS RE-
31 QUIRED.

32 The department shall keep accounts in relation to the allo-
33 cation of moneys to the fund including all amounts credited to
34 the fund and all amounts of duly and finally approved vouchers
35 for claims chargeable to the fund.

1 Sec. 46. NEW SECTION. 315A.7 PROJECT DEVELOPMENT.

2 The department shall be responsible for the development of
3 qualifying projects under this chapter in the same manner as
4 prescribed for primary road system improvements under chapter
5 313, including surveys, plans, specifications, bids,
6 contracts, supervision, and inspection.

7 Sec. 47. NEW SECTION. 315B.1 DEFINITIONS.

8 As used in this chapter, unless the context otherwise
9 requires:

10 1. "Commission" means the state transportation commission.

11 2. "Department" means the state department of transporta-
12 tion.

13 3. "Fund" means the comprehensive transportation develop-
14 ment fund.

15 4. "Railroad company" means a person responsible for the
16 operation of a railway vehicle within this state, except where
17 the operation of the railway vehicle is limited to operation
18 only within the geographical confines of a manufacturing plant
19 or facility or grain storage facility.

20 5. "Train-mile" means each mile traveled by a train in
21 this state regardless of the number of cars in the train.

22 Sec. 48. NEW SECTION. 315B.2 COMPREHENSIVE TRANSPORTA-
23 TION DEVELOPMENT FUND.

24 A comprehensive transportation development fund is created,
25 which includes:

26 1. The net proceeds from the comprehensive transportation
27 fuel tax fund.

28 2. The net proceeds from the railroad transportation ex-
29 cise tax.

30 3. All fees derived from the registration of aircraft
31 under chapter 328.

32 4. Available federal funds.

33 5. All other funds credited by law to the fund.

34 6. Repayments of loans made from the fund and interest
35 paid on those loans.

1 Notwithstanding section 453.7, subsection 2, interest or
2 earnings on investments or time deposits of the moneys in the
3 fund shall be credited to the fund.

4 Notwithstanding section 8.33, funds remaining in the fund
5 at the end of the fiscal year shall be carried forward in the
6 fund to the next fiscal year.

7 Sec. 49. NEW SECTION. 315B.3 USE OF THE FUND.

8 1. The fund is appropriated for and shall be used in the
9 establishment, construction, and improvement of transportation
10 facilities including, but not limited to, the following:

11 a. Airports and aeronautics.

12 b. Railroad system preservation and safety and the highway
13 railroad grade crossing surface repair fund.

14 c. Waterways and navigation.

15 d. Bikeways and recreational trails.

16 e. Intermodal facilities including ports, terminals,
17 transfer facilities, and freight distribution centers.

18 f. Public roads.

19 2. The fund shall not be used for the actual operation of
20 any vehicle in any transportation mode.

21 Sec. 50. NEW SECTION. 315B.4 RAILROAD TRANSPORTATION EX-
22 CISE TAX.

23 For the privilege of operating railway vehicles in this
24 state an excise tax is imposed on each railroad company trans-
25 porting freight in the state. The rate of tax is seven and
26 one-half cents for each train-mile operated by each railroad
27 in the state and one hundred dollars per year for each public
28 road crossing on the line of each railroad company in the
29 state. The department of revenue and finance shall establish
30 rules for the collection of the tax from each railroad company
31 transporting freight in the state. Moneys collected from the
32 tax shall be credited to the fund.

33 Sec. 51. NEW SECTION. 315B.5 ADMINISTRATION OF FUND.

34 Projects shall be selected by the commission for full or
35 partial financing from the fund. Bikeway and recreational

1 trail projects shall be selected after consultation with the
2 department of natural resources. Financing of projects invol-
3 ving other state agencies, local governments, or private par-
4 ties may be in the form of loans or direct grants or a com-
5 bination of loans and grants. The proportion of funding of
6 cooperative projects shall be determined by agreement between
7 the department and the other participating state agencies, the
8 city councils of participating cities, boards of supervisors
9 of participating counties, or other participating public
10 agencies or private parties. The commission shall determine
11 the amount of the fund to allocate to the highway railroad
12 grade crossing surface repair fund.

13 Sec. 52. NEW SECTION. 315B.6 MONTHLY CERTIFICATION OF
14 FUNDS.

15 The account of the fund shall be kept by the department of
16 revenue and finance and the treasurer of state and shall show
17 the amount of the fund including all credits to the fund and
18 disbursements from the fund. Upon certification by the
19 department in accordance with rules adopted by the department
20 of revenue and finance, the department of revenue and finance
21 shall issue warrants for disbursements from the fund.

22 Sec. 53. NEW SECTION. 315B.7 ACCOUNTS AND RECORDS
23 REQUIRED.

24 The department shall keep accounts in relation to the allo-
25 cation of moneys to the fund including all amounts credited to
26 the fund and all amounts of duly and finally approved vouchers
27 for claims chargeable to the fund.

28 Sec. 54. Sections 328.36 and 327G.19, Code 1987, are
29 repealed.

30 Sec. 55. Chapters 324A and 435, Code 1987, are repealed.

31 Sec. 56. Upon the effective date of this Act any moneys in
32 the state aviation fund shall be credited to the comprehensive
33 transportation development fund and appropriations from the
34 state aviation fund shall be deemed to be appropriations from
35 the comprehensive transportation development fund.

1 Section 15 relates to the imposition of the special fuel
2 tax on fuel used in aircraft, railway vehicles, and commercial
3 vessels.

4 Section 18 credits the revenues from the tax of two cents
5 per gallon beginning July 1, 1987 and four cents beginning
6 July 1, 1988 from the motor fuel and special fuel taxes to the
7 commercial network development fund.

8 Section 19 changes the name of the aviation gas tax fund to
9 the comprehensive transportation fuel tax fund and provides
10 for the deposit of taxes collected on aviation gasoline and
11 special fuel used in aircraft, railway vehicles, and commer-
12 cial vessels.

13 Sections 21 and 22 provide for funding the highway railroad
14 grade crossing surface repair fund from the comprehensive
15 transportation development fund and restate the language
16 relating to allocation of costs for surface repair projects.

17 Section 23 provides a new definition for "owner" of an
18 aircraft.

19 Section 24 relates to the funding of aeronautics projects
20 from the comprehensive transportation development fund.

21 Section 25 clarifies when an aircraft must be registered in
22 Iowa and changes the registration year to begin in the month
23 in which the aircraft is first registered.

24 Section 26 changes the minimum aircraft registration fee
25 from fifteen to thirty-five dollars. the section also changes
26 the registration fee for antique aircraft from fifteen to
27 thirty-five dollars.

28 Section 27 deletes language relating to the proration of
29 fees for a portion of a registration year.

30 Section 28 requires the registration of lighter-than-air
31 aircraft for thirty-five dollars and provides that unairworthy
32 aircraft can be exempted from registration.

33 Sections 29 through 31 and 33 through 35 relate to the
34 change in the registration year for aircraft.

35 Section 32 exempts from registration homebuilt aircraft

1 that have not yet been issued an airworthiness certificate.

2 Sections 36 through 39 relate to the removal of the exemp-
3 tion from the motor fuel tax on motor fuel used in aircraft.

4 Sections 40 through 46 establish the commercial network
5 development fund and provide for the improvement of highways
6 on a commercial network of highways established by the trans-
7 portation commission within the primary road system.

8 Sections 47 through 53 establish the comprehensive
9 transportation development fund and provide for the use of the
10 fund by the transportation commission to improve primary
11 roads, airports and aeronautics, railroad preservation and
12 safety, railroad grade crossings, waterways and navigation,
13 bikeways and recreational trails, and intermodal facilities.

14 Section 50 imposes a tax of seven and one-half cents per
15 train-mile and one hundred dollars per year for each grade
16 crossing on railroads operating in Iowa. Revenues from this
17 tax are credited to the comprehensive transportation develop-
18 ment fund.

19 Section 54 repeals the state aviation fund.

20 Section 55 repeals the railway vehicle fuel tax and the
21 railway mileage tax.

22 Section 56 provides for the disposition of credits and
23 debits to the abolished state aviation fund.

24 Section 57 makes the tax on aviation gasoline and the
25 elimination of refunds effective for fuel purchased on or
26 after July 1, 1987.

27
28
29
30
31
32
33
34
35