

68TH CONGRESS,  
1ST SESSION.

# Union Calendar No. 26

## H. R. 655

[Report No. 80.]

### IN THE HOUSE OF REPRESENTATIVES.

DECEMBER 5, 1923.

Mr. REED of West Virginia introduced the following bill; which was referred to the Committee on the District of Columbia and ordered to be printed.

JANUARY 23, 1924.

Reported with amendments, committed to the Committee of the Whole House on the state of the Union, and ordered to be printed.

[Omit the part struck through and insert the part printed in italic.]

## A BILL

To provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3       That on and after January 1, 1924, a registration fee of \$1  
4       for all motor vehicles and a tax of 2 cents per gallon on  
5       all motor-vehicle fuels sold within the District of Columbia  
6       shall be levied and collected in the manner hereinafter pro-  
7       vided, one half of which tax shall be paid into the Treasury of  
8       the United States to the entire credit of the District of  
9       Columbia, ~~in lieu of the personal-property tax on motor~~  
10 ~~vehicles, which tax shall be remitted on and after July 1,~~  
11 ~~1924,~~ and the other half, as well as all registration fees, shall

1 be paid into the Treasury of the United States to the  
2 credit of the United States and to the credit of the Dis-  
3 trict of Columbia in the same proportions as appropria-  
4 tions for the District of Columbia are paid from the Treas-  
5 ury of the United States and from the revenues of the  
6 District of Columbia; but no registration fee shall be charged  
7 for any motor vehicle bearing a registration marker or plate  
8 of any State which grants to the actual residents of the Dis-  
9 trict of Columbia the privilege of using the roads of that State  
10 in return for a like privilege granted the actual residents of  
11 that State by the District of Columbia, and on and after  
12 January 1, 1924, no tax of any character or description,  
13 except as in this Act provided, shall be levied or assessed  
14 upon any motor vehicle in the District of Columbia: *Pro-*  
15 *vided*, That this Act and any section thereof shall be  
16 inoperative and of no effect unless the State of Maryland  
17 shall agree to permit, on and after January 1, 1924; the  
18 free and unrestricted use of the public highways of that State  
19 by motor vehicles bearing registration markers or plates of  
20 the District of Columbia in like manner and to the same  
21 extent as the free and unrestricted use of the public highways  
22 of the District of Columbia is extended to motor vehicles  
23 bearing registration markers or plates of the State of Mary-  
24 land: *Provided*, That motor vehicles shall be exempt from  
25 the personal property tax up to the value of \$1,000.

1           SEC. 2. That the following words, terms, and phrases  
2 are, for the purposes hereof, defined as follows, viz:

3           (a) "Motor vehicles" as used in this Act shall be held  
4 and construed to mean and include all vehicles propelled by  
5 internal-combustion engines, electricity, or steam, except  
6 traction engines, road rollers, and vehicles propelled only  
7 upon rails and tracks.

8           (b) "Motor-vehicle fuels" as used in this Act shall be  
9 held and construed to mean and include gasoline and other  
10 volatile and inflammable liquid fuels produced or com-  
11 pounded for the purpose of operating or propelling internal-  
12 combustion engines: *Provided*, That kerosene shall not be  
13 considered to be a liquid fuel in the meaning of this Act.

14           (c) The term "dealer" as used in this Act shall be  
15 held and construed to mean and include any person, firm, or  
16 corporation who imports or causes to be imported *for sale*  
17 *or disposition, or distribution for commercial purposes, or use*  
18 *in public vehicles*, into the District of Columbia gasoline and  
19 other volatile and inflammable liquid fuels, produced or com-  
20 pounded for the purpose of operating and propelling motor  
21 vehicles as herein defined, and also any person, firm, or cor-  
22 poration who produces, refines, manufactures, or compounds  
23 such ~~liquid~~ *motor vehicle* fuels in the District of Columbia for  
24 use, distribution, or sale and delivery in the District of  
25 Columbia.

SEC. 3. That on and after January 1, 1924, each and every dealer, as defined in this Act, who is now engaged or who may hereafter engage in his own name, or in the name of others, or in the name of his representatives or agents, in the District of Columbia, in the sale or use of motor-vehicle fuel, as herein defined, shall, not later than the last day of each calendar month, render to the assessor of the District of Columbia a statement of all motor-vehicle fuel sold, *or disposed of as hereinbefore provided*, by him or them in the District of Columbia during the preceding calendar month, and shall pay a tax of 2 cents per gallon to the collector of taxes on all motor-vehicle fuel as shown by such statement, in the manner and within the time herein after stipulated.

SEC. 4. That all dealers in motor-vehicle fuel in the District of Columbia shall file with the assessor of the District of Columbia, a duly acknowledged certificate, on forms prescribed, prepared, and furnished by the said assessor, containing the name under which such dealer is transacting business within the District of Columbia, the names and addresses of the several persons constituting the firm or partnership, and, if a corporation, the corporate name under which it is authorized to transact business, and the names and addresses of its principal officers, resident general agent, and attorney in fact. No dealer as herein defined shall, on

1 and after January 1, 1924, sell, use, or distribute any motor-  
2 vehicle fuel until such certificate is furnished as is required  
3 by this Act.

4       SEC. 5. That on and after January 1, 1924, all dealers  
5 in motor-vehicle fuel shall render to the assessor of the  
6 District of Columbia, on or before the last day of each  
7 month, on forms prescribed, prepared, and furnished by  
8 the said assessor, a sworn report of the number of gallons  
9 of motor fuel sold, ~~or~~ used, *or disposed of* by them *as in this*  
10 *Act provided*, during the preceding calendar month, which  
11 report shall be sworn to by one of the principal officers in  
12 case of a domestic corporation, by the resident general  
13 agent, or attorney in fact, or by a chief accountant or officer  
14 in case of a foreign corporation, or by the managing agent  
15 or owner in case of a firm or association; which report shall  
16 contain a statement of the quantities of motor-vehicle fuel  
17 *so sold, or used, or disposed of* within the District of Colum-  
18 bia from his or their respective places of business. Bills  
19 shall be rendered to all purchasers of motor-vehicle fuel by  
20 dealers in motor-vehicle fuel as herein defined, except in  
21 cases of retail sales. Said bills shall contain a statement,  
22 printed thereon in a conspicuous place, that the liability to  
23 the District of Columbia for the tax herein imposed has  
24 been assumed, and that the dealer or dealers in question

1 will pay said tax on or before the last day of the following  
2 month.

3       SEC. 6. That the tax in respect to motor-vehicle fuel  
4 so sold or *disposed of* used in any calendar month shall be  
5 paid on or before the last day of the next succeeding month  
6 to the collector of taxes of the District of Columbia, who  
7 shall receipt to the dealer therefor and cover same into the  
8 Treasury of the United States to the credit of the United  
9 States and to the credit of the District of Columbia in the  
10 manner provided by section 1 of this Act: *Provided, how-*  
11 *ever, That the collector of taxes of the District of Columbia*  
12 *may retain in his hands, at all times, such sum not exceeding*  
13 *\$1,000 as in the judgment of the collector of taxes of the*  
14 *District of Columbia shall be sufficient to enable him to pay*  
15 *promptly all claims for refunds.*

16       SEC. 7. That the records of all purchases, receipts,  
17 sales, distribution, and use of motor-vehicle fuel of every  
18 dealer shall, at all times during the business hours of the  
19 day, be subject to inspection by the assessor and the col-  
20 lector of taxes of the District of Columbia, or by their duly  
21 authorized agents, or by any other agent duly authorized  
22 by the Commissioners of the District of Columbia to make  
23 such inspection.

24       SEC. 8. That it shall be unlawful for any person, firm  
25 or corporation, or any ~~retail~~ dealer or distributor of motor-

1 vehicle fuel to receive and accept any shipment from any  
2 dealer or to pay for the same, or to sell, or offer for sale, any  
3 motor-vehicle fuel unless the statement provided for in sec-  
4 tion 5 of this Act appears upon the invoices of said shipment.  
5 If any shipment originating and terminating within the Dis-  
6 trict of Columbia is received and accepted by any person,  
7 firm or corporation, or any ~~retail~~ dealer or distributor, from  
8 any dealer, or is sold or offered for sale by him or them,  
9 upon the invoice of which said statement does not appear,  
10 such person, firm or corporation, or ~~retail~~ dealer or dis-  
11 tributor shall pay to the collector of taxes the tax herein  
12 imposed or be liable to the District of Columbia for double  
13 the amount of the said tax, which amount may be recovered  
14 by civil suit or action in any court of competent jurisdiction.

15       SEC. 9. That no tax on motor-vehicle fuels exported or  
16 sold for exportation from the District of Columbia to any  
17 other jurisdiction or nation shall be imposed.

18       SEC. 10. That any person, firm, or corporation who  
19 shall buy or use any motor-vehicle fuel as defined in this  
20 Act for the purpose of operating or propelling any stationary  
21 gas engine, tractor used for agricultural purposes, motor  
22 boat, aeroplane, or aircraft of any character, or who shall  
23 purchase or use any of such fuel for cleaning or dyeing, or  
24 for any purpose other than in a motor vehicle used or  
25 operated, or intended to be used or operated, in whole or

1 in part upon any of the public highways of the District of  
2 Columbia, shall not be required to pay the tax herein im-  
3 posed, but such fuel shall be sold or delivered to any such  
4 person, firm, or corporation by any dealer in the same upon  
5 the signed statement of the purchaser or his agent, which  
6 said statement shall be given to the dealer at the time of  
7 purchase of said fuel and be on a form hereafter to be pre-  
8 scribed by the assessor of the District of Columbia, and  
9 which statement shall set forth the character of the use of  
10 said fuel and the place of use thereof. That said statement  
11 shall be retained by the importer of said fuel until the rendi-  
12 tion by him to the collector of taxes of his next monthly  
13 report of the amount of motor-vehicle fuel sold by him during  
14 the preceding month, and in the collection of the tax herein  
15 provided for the quantity of said fuel represented by such  
16 statements shall not be considered, *on which motor fuel the*  
17 *tax imposed by this Act shall have been paid, shall be reim-*  
18 *bursed and repaid the amount of such tax paid by him upon*  
19 *presenting to the collector of taxes of the District of Columbia*  
20 *a statement accompanied by the original invoices showing*  
21 *such purchase, which statement shall set forth the total amount*  
22 *of such motor-vehicle fuel so purchased and used by such*  
23 *consumer other than in motor vehicles operated, or intended*  
24 *to be operated, on any of the public highways of the District*  
25 *of Columbia, and the said collector of taxes of the District*

1 of Columbia, upon the presentation of such statement and such  
2 vouchers, shall cause to be repaid to such consumer from  
3 the taxes collected on motor-vehicle fuel the said taxes paid  
4 on motor-vehicle fuels purchased or used other than for motor  
5 vehicles, as aforesaid: Provided, That applications for re-  
6 funds, as provided herein, must be filed with the collector of  
7 taxes of the District of Columbia within thirty days from  
8 the date of purchase or invoice: Provided, That before any  
9 refund shall be made such claimant shall furnish to the col-  
10 lector of taxes of the District of Columbia satisfactory evi-  
11 dence by sworn statement of the exempted use of such fuel  
12 purchased by him.

13       SEC. 11. That any person, association, firm, or corpora-  
14 tion violating any of the provisions of this Act, or any  
15 person, firm, or agent of any corporation, who shall make  
16 any false statement in connection with the sale or use of any  
17 motor-vehicle fuel intended to be used for any of the pur-  
18 poses described in ~~section 10~~ of this Act, shall be deemed  
19 guilty of a misdemeanor and upon conviction thereof shall  
20 be punished by a fine of not less than \$50 nor more than  
21 \$500, or by imprisonment for not more than one year, or  
22 by both such fine and imprisonment.

23       SEC. 12. That it shall be unlawful for the assessor or  
24 the collector of taxes, or any of the agents or employees of

1 the District of Columbia, to disclose, except when required so  
2 to do by a court of law, the amount of tax paid in pursuance  
3 of the terms of this Act by any dealer or dealers, or any  
4 other information contained in the reports filed by any dealer  
5 or dealers under the terms hereof, and any person violating  
6 the provisions of this section shall be deemed guilty of a  
7 misdemeanor and upon conviction thereof shall be punished  
8 by a fine of not less than \$50 nor more than \$500, or by  
9 imprisonment for not more than one year, or by both such  
10 fine and imprisonment.

11 SEC. 12. That owners of electrically driven and  
12 steam operated motor vehicles shall be charged the following  
13 annual registration fees which shall include the registration  
14 fee of \$1 referred to in section 1 of this Act:

15 All motor vehicles operated by steam, \$15 per annum.

16 Electrically driven passenger-carrying vehicles, \$11 per  
17 annum.

18 Electrically operated trucks, having one thousand  
19 pounds or less rated carrying capacity, a minimum charge  
20 of \$11 per annum, plus \$2 for each additional one thousand  
21 pounds or less rated carrying capacity.

22 SEC. 13. That all motor vehicles owned and offi-  
23 cially used by the United States or by the District of Co-  
24 lumbia shall carry registration markers or plates of the  
25 same character and subject to the same regulations and pro-

1 visions as apply to all other motor vehicles operated within  
2 the District of Columbia, all such registration markers or  
3 plates to be furnished without charge.

4       SEC. 14. That when under authority of law gasoline  
5 or other motor-vehicle fuel is sold by an agency of the United  
6 States within the District of Columbia, for use in privately  
7 owned vehicles, such agency of the United States shall,  
8 by agreement with the Commissioners of the District of  
9 Columbia, arrange for the collection of the tax of 2 cents  
10 per gallon herein authorized to be imposed, and for ac-  
11 counting to the collector of taxes of the District of Columbia  
12 for the proceeds of such tax collections. ~~In general, the~~  
13 ~~arrangements so established shall, as far as permissible, ac-~~  
14 ~~cord with the provisions of this Act.~~

15       SEC. 15. That all prosecutions for violations of the  
16 provisions of this Act ~~shall~~ *may* be in the police court of the  
17 District of Columbia, upon information filed by the cor-  
18 poration counsel of the District of Columbia or any of his  
19 assistants.

20       SEC. 16. That the Commissioners of the District of  
21 Columbia are authorized and directed to make refunds of  
22 registration fees paid under existing law on motor vehicles  
23 to the extent that the payments may be in conflict with the  
24 provisions of this Act.

1        SEC. 18 17. That all laws inconsistent with the pro-  
2        visions of this Act be, and the same are hereby, repealed:  
3        *Provided*, That nothing herein contained shall be construed  
4        in any wise to affect the provisions of paragraphs 11, 13, and  
5        14 of the Act of Congress relating to license taxes, approved  
6        July 1, 1902.

68TH CONGRESS,  
1ST SESSION.

H. R. 655

UNION CALENDAR NO. 2

[Report No. 80.]

## A BILL

To provide for a tax on motor-vehicle fuels  
sold within the District of Columbia, and  
for other purposes.

By Mr. REED of West Virginia.

DECEMBER 5, 1923.

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