HOUSE DOCKET, NO. FILED ON: 1/6/2009

**HOUSE . . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

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PRESENTED BY:

**David P. Linsky**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General
 Court assembled:*

 The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the fuel tax.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| David P. Linsky | 5th Middlesex |

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3011 OF 2007-2008.]

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

An Act relative to the fuel tax.

 *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Section 7 of chapter 64A of the General Laws is hereby amended in the first sentence by inserting at the end thereof the following:— “;provided, however, that any road or bridge which is owned, operated or maintained by the Massachusetts Turnpike Authority and which charges a toll for the use thereof shall be considered a highway for the purposes of this section.”

SECTION 2. Said section 7 is hereby further amended in the second sentence by deleting the following words:— “shall be accompanied by original invoices or sales receipts of fuel”;.

SECTION 3. Said section 7 is further amended in the fifth sentence thereof by striking said fifth sentence in its entirely and inserting in place thereof the following:— “A filer of said claims for reimbursement for said turnpike travel shall attest under the penalties of perjury that the fuel which is the basis for said reimbursement was purchased within the commonwealth.”

SECTION 4. Said section 7 is further amended in the sixth sentence by inserting after the word “deem” the following word:—“reasonably”.

SECTION 5. Said section 7 is further amended in the sixth sentence by inserting after the word “claims”, the following words:—“with the exception of requiring original fuel sales receipts”.

SECTION 6. Said section 7 is further amended by inserting at the end thereof the following new sentence:— “Claims made under this section shall be eligible for reimbursement for fuel purchases made during the two year period preceding the filing of such claims.”

SECTION 7. This act shall take effect upon its passage.