

**SENATE CONCURRENT RESOLUTION NO. 32**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE

Introduced: 4/23/14

Referred: Secretary's Desk

**A RESOLUTION**

1 **Opposing retroactive application of the passenger vehicle rental tax to Alaska businesses**  
2 **that did not collect the tax.**

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **WHEREAS**, in 2003, the legislature passed HB 271, a passenger vehicle rental tax  
5 intended to raise revenue from tourists who rent passenger vehicles so that those tourists  
6 could help pay for the wear and tear they inflict on the state's publicly maintained roads; and

7 **WHEREAS**, since the passage of HB 271, AS 43.52 has been amended three times;  
8 twice to exempt Alaska businesses doing business with other Alaska businesses and once to  
9 exempt motorcycles; and

10 **WHEREAS** it is the intent of the legislature to clarify, once again, which rental  
11 vehicles are to be covered by the passenger vehicle rental tax and which are not; and

12 **WHEREAS** it remains the intent of the legislature that only passenger rental vehicles,  
13 as described in AS 43.52.010, are subject to the passenger vehicle rental tax; and

14 **WHEREAS** it remains the intent of the legislature that rentals of trucks and other  
15 commercial vehicles to Alaska businesses are not subject to the tax;

16 **BE IT RESOLVED** that the Alaska State Legislature opposes retroactive application

1 of the passenger vehicle rental tax to Alaska businesses that did not collect the tax; and be it  
2 **FURTHER RESOLVED** that the Alaska State Legislature maintains that the  
3 Department of Revenue should not hold a business responsible for past taxes that the  
4 department determines a business should have collected but did not collect on account of  
5 uncertainty with respect to the application of the tax to a transaction; however, if the  
6 Department of Revenue determines that a business collected the tax but did not remit the tax  
7 to the department, then the department should charge back taxes, penalties, and interest on  
8 those unpaid taxes.