

1999 SESSION

ENROLLED

HOUSE JOINT RESOLUTION NO. 693

Memorializing the Congress of the United States to relieve the burden placed on the users and distributors of kerosene caused by certain tax policies and dyeing requirements.

Agreed to by the House of Delegates, February 8, 1999

Agreed to by the Senate, February 18, 1999

WHEREAS, federal legislation passed in 1997 as part of the effort to balance the federal budget amended the term "taxable fuel" to cover kerosene as well as gasoline and diesel fuel; and

WHEREAS, the passage of this act has resulted in a 24.3 cents-per-gallon tax being placed on kerosene unless it is dyed for nontaxable uses; and

WHEREAS, nontaxable uses include off-road uses, certain agricultural uses and home heating uses; and

WHEREAS, the dye color used to distinguish diesel and kerosene fuels for nontaxable versus taxable uses is the same; and

WHEREAS, this leads to confusion and complaints on the part of customers and problems for the distributors of kerosene, particularly for those using and selling kerosene for home heating purposes; and

WHEREAS, the color of the dye used is a matter of federal regulation which could be changed so that kerosene for nontaxable purposes could be distinguished from diesel fuel sold for nontaxable purposes while still providing regulators with a tool for enforcement and the detection of fraud; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Congress of the United States be urged to relieve the burden placed on the users and distributors of kerosene caused by certain tax policies and dyeing requirements by providing for different dye requirements for kerosene and diesel fuels used for nontaxable purposes; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates transmit copies of this resolution to the Congressional Delegation of Virginia in order that they may be apprised of the sense of the General Assembly in this matter.

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