

**TITLE 4: ECONOMIC RESOURCES**  
**DIVISION 1: REVENUE AND TAXATION**

**§ 1403. Fuel Tax.**

(a) *Liquid Fuel Tax.* Except as provided in subsection (b) and (c) of this section, for the privilege of first selling or distributing fuel in the Commonwealth, there is imposed an excise tax at the rate of 15 cents per gallon.

(b) *Aviation Fuel Tax.* For the privilege of first selling or distributing aviation gas or other aviation fuel in the Commonwealth, there is imposed an excise tax at the rate of three percent ad valorem.

(c) The liquid fuel tax imposed by subsection (a) of this section shall not apply to sales of liquid fuel to the Commonwealth Utilities Corporation for the purpose of power generation; provided, that the Commonwealth Utilities Corporation complies with the requirements of 4 CMC § 8141(h). In the event the tax has already been paid at the time the liquid fuel is sold to the Commonwealth Utilities Corporation, the secretary shall provide the taxpayer with a credit in the amount of the tax paid under subsection (a) of this section applicable to the liquid fuel so sold.

**Source:** PL 9-22, § 1 (§ 1403) (repealing PL 3-11, § 403); amended by PL 10-36, § 3; subsection (a) amended by PL 11-25, § 4.

**Commission Comment:** The reference to “subsection (b) and (c)” in subsection (a), specified in PL 9-22, is probably incorrect. Subsection (c) did not exist until it was added by PL 10-36, which took effect October 22, 1996. As noted in the comment to 4 CMC § 1201, PL 9-22 was enacted January 24, 1995, effective retroactive to January 1, 1995.

PL 11-25, that amended subsection (a) of this section, took effect on August 10, 1998.

See 4 CMC § 1803(e)(ii) regarding the earmarking of the liquid fuel and aviation taxes.