

Motor Fuel Tax

Summary

Statute: 12-28-110 to 12-28-2490

Date Enacted: 1922

Date of last change: 1987

Rate: \$0.1675 per gallon

Current Distribution: \$0.1034 to the State Highway Fund (DOT)
 \$0.0266 to the "C" Fund (Counties)
 (First \$18,000,000 to State Non-Federal Aid Highway Fund
 (DOT); 1% of 13-cents to Dept. of Natural Resources
 \$0.03 to the Strategic Highway Fund (SHIMS) / Econ. Dev.
 \$0.005 to DHEC
 \$0.0025 to Petroleum Inspection Fee to DHEC

Following Attachment: Motor Fuel by Type and Allocation of Revenues

Fiscal Year Collections 1/

FY05	\$503,050,415
FY06	\$511,973,375
FY07	\$533,284,480
FY08	\$534,166,432
FY09	\$514,764,946

1/ Revenues do not include DHEC and Petroleum Inspection Fees

FY10 Fiscal Impacts as a Result of Change in Current Law

Increase State Excise Tax by One Cent ¹	\$34,925,587
Increase State Excise Tax by Five Cents ²	\$174,627,934
Impose 6 percent sales tax on full retail price including taxes and fees ³	\$557,412,366
Impose 6 percent sales tax on full retail price excluding state excise tax ⁴	\$523,883,803
Impose 6 percent sales tax on full retail price excluding state and federal excise tax ⁵	\$485,325,955
Impose 6 percent sales tax on full retail price excluding all taxes (state and federal excise tax and SC environmental fees) ⁶	\$483,754,304

¹Based on estimated 3.49 Billion gallons of gas, diesel and LPG in SC in FY09 x \$0.01

²Based on estimated 3.49 Billion gallons of gas, diesel and LPG in SC in FY09 x \$0.05

³⁻⁶Based on short-term energy price info from US DOE/EIA and gallon figures from SCDOT

³Price includes cpg state excise tax (\$0.16), federal excise tax (\$0.184 gas, \$0.244 diesel, \$0.183 LPG), and state environmental fees (\$0.0075)

⁴Price less the \$0.16 state excise tax but including federal tax and SC environmental fees

⁵Price less state and federal excise tax but including SC environmental fees

⁶Retail price only / excludes all taxes and fees

South Carolina Gasoline, Special Fuel, and Highway-Use User Fee Revenue by Type and Allocation

WORKING PAPER: Internal Reference Use Only

Distribution of Motor Fuels	FY 1996-97	FY 1997-98	FY 1998-99	FY 1999-00	FY 2000-01	FY 2001-02	FY 2002-03	FY 2003-04	FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09
Total Gasoline/Motor Fuel User Fees (UF)	403,995,784	420,684,109	433,593,204	455,308,122	449,630,752	456,335,008	467,608,145	489,318,641	503,050,415	511,973,375	533,284,480	534,166,432	514,764,946
13-Cent Motor Fuel User Fees, subtotal	328,215,427	343,215,514	362,318,244	369,968,537	365,391,118	370,424,319	379,481,022	398,825,605	408,747,723	416,413,405	433,271,560	434,010,851	418,263,117
Gasoline User Fee (12-28-310) 1/	258,569,063	279,334,758	281,752,126	292,654,446	288,492,135	295,194,710	300,481,652	314,167,826	315,400,436	322,196,773	332,586,524	333,818,074	327,747,770
Special Fuel (SF) User Fee (12-28-310) 1/	68,154,098	59,942,403	70,566,118	77,240,386	76,898,983	75,229,609	78,999,370	84,657,780	93,347,287	94,216,632	100,685,037	100,192,777	90,515,347
Highway-Use User Fee (Old 12-31-410) 1/	1,492,266	3,938,353	0	73,705	0	0	0	0	0	0	0	0	0
3-Cent SHIMS / DOT & Econ. Dev., subtotal	75,780,358	77,468,595	81,274,960	85,339,585	84,239,634	85,910,689	88,127,123	90,493,035	94,302,692	95,559,970	100,012,920	100,155,581	96,501,829
Economic Development [12-28-2910(A)]	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000
Residual SHIMS / DOT Revenue (12-28-2750) 2/	57,780,358	59,468,595	63,274,960	67,339,585	66,239,634	67,910,689	70,127,123	72,493,035	76,302,692	77,559,970	82,012,920	82,155,581	78,501,829
Allocation of Motor Fuel Revenues, 16-cent levy													
1% of 13-Cent Gas UF to Natural Resources [12-28-2730(A)]	2,585,691	2,793,348	2,817,521	2,926,544	2,884,921	2,951,947	3,004,817	3,141,678	3,154,004	3,221,968	3,325,865	3,338,181	3,277,478
1-Cent Gasoline UF to General Fund / DOT (12-28-2720) 3/	19,094,162	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
9.34/10.34/13.34-Cent Gas, SF and Highway Use to DOT (12-28-2720) 2/	311,937,796	343,306,134	355,701,372	375,098,792	370,306,201	375,490,025	385,734,991	404,536,228	418,005,986	425,484,255	444,586,819	445,206,980	427,065,854
2.66-Cent Allotment of Gas UF for 'C' funds to Counties [12-28-2740 (A)]	52,378,136	56,584,627	57,074,311	59,282,786	58,439,630	59,893,036	60,868,337	63,640,735	63,890,424	65,267,152	67,371,796	67,621,271	66,391,614
\$18 MM proration of 3-Cent Gas UF [12-28-2910(C)] 4/	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000
Dept. of Commerce (DOC), Econ. Devel. Account	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000	18,000,000	12,000,000	6,000,000	0	0
State Non-Federal Aid Highway Fund (NFHF), DOT	NA	NA	NA	NA	NA	NA	NA	NA	NA	6,000,000	12,000,000	18,000,000	18,000,000
Reference: Total Fuel User Fee Allocations, 16-cent levy	403,995,784	420,684,109	433,593,204	455,308,122	449,630,752	456,335,008	467,608,145	489,318,641	503,050,415	511,973,375	533,284,480	534,166,432	514,764,946
Reference: Total User Fees, less Econ. Dev., 16-cent levy	385,995,784	402,684,109	415,593,204	437,308,122	431,630,752	438,335,008	449,608,145	471,318,641	485,050,415	493,973,375	515,284,480	516,166,432	496,764,946

Notes: Figures are net of refunds issued. Detail may not add to total due to rounding. Registration Fees are excluded. Act 69 of 2003, Section 3.BBB, substituted "user fee" for "tax" and "motor fuel subject to the user fee" for "taxable motor fuel" wherever cited in Chapter 28 of Title 12. This schedule also excludes one-fourth cent a gallon inspection fee as allocated to state General Fund (GF), S. C. Dept. of Agriculture (SCDOA) and/or NFHF within DOT. References: 39-41-120 repealed in Section 4 of Act 136 of 1995, as 12-28-2355(A). Paragraph (C) was added in Section 2 of Act 176 of 2005 for two-year phase-out of GF portion in FYRS '06-'07 with 10% allotted to SCDOA and remainder to NFHF thereafter. This schedule further excludes the one-half cent a gallon Environmental Impact fee under 12-28-2355(B) [and 44-2-60(B)], for which funds are deposited under 44-2-40, and then allotted to Superb accounts within DHEC to regulate clean up of underground petroleum storage tanks

1/: Rate increased from 13-cent to 16-cent per gallon effective May 1, 1996. International Fuel Tax Agreement (IFTA) effective June 1996.

2/: Beginning in FY 1993-94, remainder of extra 3-cent tax for SHIMS was allocated to DOT to service bonded debt and match federal highway funds. Sec. 12-28-2725 allocates .25-cent of total 10.34-cent distribution of user fees on gasoline to DOT for mass transit programs. References: Sec. 12-27-1260 and 12-27-1285, which were repealed by Act 136 of 1995.

3/: Effective June 1, 1997, General Fund distribution reduced to one-half cent. Effective July 1, 1997, General Fund distribution eliminated and DOT portion raised to 10.34 cents from 9.34 cents.

4/: Expenditure as authorized by S. C. Coordinating Council for Economic Development. Includes one-time transfer of \$10 million in FY 1992-93 for special project. Reference: Part II, Sec. 71 of Act 501 of 1992.

(UF): User Fee. (SF): Special Fuel (diesel). NA: Not applicable. R: Revised.