

NOTICE
PUBLIC HEARING ON PROPOSED AMENDED RULE ON METHODOLOGY
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
RHODE ISLAND VEHICLE VALUE COMMISSION

In accordance with R.I.G.L. section 42-35 et al and R.I.G. L. section 44-34-11, the Rhode Island Vehicle Value Commission will conduct a public hearing regarding changes to the methodology for determining the value of vehicles and trailers subject to motor vehicle excise tax as of December 31, 2010.

The public hearing will be held on Thursday October 28, 2010 at 2:00 p.m. in Conference Room C, Second Floor, One Capitol Hill, Providence, Rhode Island.

The purpose of the public hearing is to receive comments concerning the proposed changes to the methodology. The proposed changes may be reviewed prior to the hearing at the Department of Revenue - Municipal Finance, One Capitol Hill, Providence, Rhode Island. All interested parties are invited to submit written or oral comments concerning the proposed regulations by October 27, 2010 to James T. Neary, Municipal Finance, 4th Floor, One Capital Hill, Providence, RI 02908 or Jamesn@mail.state.ri.us. In addition written and oral comments may be submitted at the hearing on October 28, 2010.

In the development of the proposed adoption consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

One Capitol Hill is accessible to the handicapped. Individuals requesting interpreter services for the hearing impaired must notify James T. Neary at 222-6445 at least 48 hours in advance of the hearing date.

Linda L. Cwiek
Chairperson
Rhode Island Vehicle Value Commission

CONCISE SUMMARY OF NON-TECHNICAL DIFFERENCES
BETWEEN EXISTING RULE 2009- METHODOLOGY FOR DETERMING THE
PRESUMPTIVE VALUE OF MOTOR VEHICLES SUBJECT TO THE EXCISE TAX
OF DECEMBER 31, 2009

Proposed Rule:

1. Section 2

Sub- Section 1.01

Changes effective date from December 31, 2009 to December 31, 2010

2. Section 3

Sub-Section 1.01

Eliminate motorcycles and commercial trucks

Sub-Section 1.02

Changes average to clean value and eliminate and commercial trucks

Sub-Section 1.03

Adds clean or to average value and changes name of guide used

Sub-Section 1.04

Corrects state law number

Sub-Section 1.05

Changes name of guide used

Sub-Section 1.06

Changes average to used value

Sub- Section 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, 1.07, 1.08

Changes the various model years of motor vehicles to be valued and the date of the NADA guides that will be used to value those vehicles.

RULE ~~2009~~ 2010– METHODOLOGY FOR DETERMINING THE PRESUMPTIVE VALUE OF MOTOR VEHICLES SUBJECT TO THE EXCISE TAX OF DECEMBER 31, ~~2009~~ 2010

Table of Contents

Section 1	Authority
Section 2	Purpose
Section 3	Severability
Section 4	Regulatory Provisions
Section 5	Effective Date

The following are rules for the methodology for determining the presumptive value of motor vehicles subject to the excise tax of December 31, ~~2009~~ 2010 adopted pursuant to Section 44-34-11(c)(1) of the General Laws of the State of Rhode Island.

Section 1 **Authority**

- 1.01 Section 44-34-11(c)(1) of the General Laws of Rhode Island directs the Rhode Island Vehicle Value Commission to adopt by rule a methodology for determining the presumptive value of motor vehicles subject to the excise tax.

Section 2 **Purpose**

- 1.01 The purpose of the methodology is to determine the value of motor vehicles using information concerning the make, model, type and year of manufacture to be used in the determination of the excise taxes of December 31, ~~2009~~ 2010 assessed by each of the cities and towns in Rhode Island.

Section 3 **Regulatory Provisions - Methodology**

- 1.01 All motor vehicles, ~~motorcycles and commercial trucks~~ identified as the ~~2010~~ 2011 model year shall be valued based upon 100% of the manufacturer's suggested retail price as reflected in official motor vehicle guides such as that of the National Automobile Dealers Association (NADA) for New England.
- 1.02 All motor vehicles ~~and commercial trucks~~ identified as ~~2009~~ 2010 model year up to and including the ~~1993~~ 1994 model year shall be valued based upon 100% of their ~~average~~ clean retail value as reported by the National Automobile Dealers Association (NADA) Official Used Car Guide.
- 1.03 All Motor vehicles identified as ~~1992~~ 1993 model year up to and including the ~~1986~~ 1987 model year shall be valued based upon 100% of their **clean or** average retail value as reported by the National Automobile Dealers Association (NADA) Official Older Used Car Guide and the National Automobile Dealers Association (NADA) Classic, Collectible ~~and Special Interest Car~~, Exotic and Muscle Car Appraisal Guide to be published in January ~~2010~~ 2011. In the event of a conflict between the two above, the former shall prevail.
- 1.04 All motor vehicles identified as the ~~1985~~ 1986 model year and older, whether or not the vehicle is an antique motor car as defined in Section 31-1-3(~~f~~) (a) of the General Laws of Rhode Island shall be deemed to possess an average retail value of \$500.00.

All motor vehicles more than twenty five (25) years old on June 16, ~~1994~~ 1995 whether or not the same is an antique motor car as defined in Section 31-1-3(~~f~~) (a) of the General Laws of Rhode Island shall be deemed to have an average retail value of \$500.00 or its actual retail value whichever is less.

- 1.05 All motor vehicles identified as the ~~2009~~-2010 model year up to and including the ~~1986~~ 1987 model year that are classified as exotics, classic and or collectible shall be valued based upon 100% of their average retail value reported by the National Automobile Dealers Association (NADA) Classic, Collectible ~~and Special Interest Car~~, Exotic and Muscle Car Appraisal Guide to be published in January ~~2010~~ 2011.

- 1.06 All motor vehicles identified as the ~~2009~~ 2010 model year up to and including the ~~1986~~ 1987 model year that are classified as recreation vehicles shall be valued based upon 100% of their ~~average~~ used retail value as reported by the National Automobile Dealers Association (NADA) Recreation Vehicle Appraisal guide to be published in January ~~2010~~ 2011.
- 1.07 All motorcycles identified as ~~2009~~ 2010 model year up to and including the ~~1986~~ 1987 model year shall be valued based upon their average retail value as reported by the National Automobile Dealers Association (NADA) Motorcycle / Snowmobile / ATV / Personal Watercraft Appraisal Guide to be published in January of ~~2010~~ 2011.
- 1.08 Those communities whose fiscal years are other than July 1 to June 30, may for the purpose of complying with section 44-34.1-1 of the Rhode Island General Laws, Excise Tax Phase Out, use the methodology adopted by the Rhode Island Vehicle Value Commission Rule ~~2008~~ 2009.