

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF REVENUE
DIVISION OF MOTOR VEHICLES**

**RULES AND REGULATIONS
GOVERNING THE STRUCTURE AND USE OF SURCHARGES ON
DIVISION OF MOTOR VEHICLES TRANSACTIONS**

**Pursuant to Chapter 68 of the 2009 Public Laws,
Article 17, Debt Management Act Joint Resolutions, Section 5**

January 2010

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
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ON DIVISION OF MOTOR VEHICLES TRANSACTIONS

SECTION 1. PURPOSE

The purpose of these rules and regulations is to establish guidelines for the imposition of a surcharge on all transactions at the division of motor vehicles and for the use of revenues generated by that surcharge, pursuant to the mandate in Public Law 2009, Chapter 68, Article 17, Relating to Debt Management Act Joint Resolutions, Section 5 (hereinafter “Article 17”).

SECTION 2. AUTHORITY

These rules and regulations are promulgated pursuant to a resolution contained in Article 17 and in accordance with R.I.G.L. Chapter 42-35, of the Rhode Island General Laws of 1956, as amended. This resolution states in pertinent part as follows:

“RESOLVED, That the General Assembly hereby approves financing in an amount not to exceed \$13,000,000 to develop computer systems to support the division of motor vehicles, including \$12,795,000 for the project and \$205,000 for associated cost of financing; provided that costs of financing would be borne by a surcharge on all transactions over the ten year period; and provided further that the department of administration shall develop and adopt by rule and regulation pursuant to this section that surcharge and structure not to exceed ten (10) years and that all revenues from that surcharge be used exclusively for the payment of the principal, interest, issuance and project costs associated with the cost of the system...”

SECTION 3. ASSESSMENT OF SURCHARGE

3.1. In order to recover the payment of the principal, interest and issuance costs for the system, a surcharge, in the amount of one dollar and fifty cents (\$1.50), per transaction shall be assessed by the division of motor vehicles on the following transactions:

3.1.1. All license transactions, including, but not limited to:

Exam	Permit	Cycle Permit
Duplicate Permit	First License	Chauffeurs License
Cycle License	CDL License	Out of State License
Transfer		
Renewal	Duplicate License	New Identification
Reissue Identification	Duplicate Identification	Limited Permit
Limited License		

3.1.2. All license transactions, including, but not limited to:

New Registration Plate Changes	Transfer of Registration Title Only	Duplicate Certificate Renewal of Registration
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3.1.3. All miscellaneous division of motor vehicles transactions, including, but not limited to:

Fee	Dealer Plates	Inspection Station License	School Bus Registration
	New Dealer License	Used Dealer License	Lease/Rental License
	Supplemental Location	Manufacturer License	Flashing Lights
	Salvage Inspection	Driving Abstracts	Jitney
	Public Plated over 8500 lbs.	Public Plated under 8500 lbs.	Manufacturer's License

3.2 Collection of this surcharge will commence on July 1, 2007, at the time that each of the above transactions is processed, and shall continue for a period not to exceed July 1, 2017.

3.3 All revenues generated by this surcharge shall be tracked separately by the division of motor vehicles and shall be used in accordance with state law to finance the new computer system for the division of motor vehicles.

SECTION 4. LIBERAL CONSTRUCTION

The terms and provisions of these rules and regulations shall be liberally construed to permit the department of revenue, division of motor vehicles to effectuate the purposes of determining a surcharge fee structure and imposing restrictions on the use of revenues generated by the surcharge.

SECTION 5. SEVERABILITY

If any provision of the rules and regulations, or the application thereof to any person or circumstances, is held invalid by a court of competent jurisdiction, the validity of the remainder of the rules and regulations shall not be affected thereby.

SECTION 6. EFFECTIVE DATE

The rules and regulations shall take effect twenty (20) days after filing with the Secretary of State's Office.

The foregoing "RULES AND REGULATIONS GOVERNING THE STRUCTURE AND USE OF SURCHARGES ON DIVISION OF MOTOR VEHICLES TRANSACTIONS", after due notice, are hereby adopted and filed with the Secretary of State this _____ day of March, 2010 to become effective twenty (20) days thereafter.

Sara R. Strachan, Administrator
Division of Motor Vehicles

Notice Given on: January 12, 2010
Public Hearing held: February 18, 2010
Filing Date: March 4, 2010