

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

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The following are rules for the methodology for determining the presumptive value of motor vehicles subject to the excise tax of December 31, 2009 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
- 1.02 December 31, 2009 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 2009 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 model year up to and including the 1993 model year shall be valued based upon 100% of their average retail value as reported by the National Automobile Dealers Association (NADA) Official Used Car Guide.
- 1.03 All Motor vehicles identified as 1992 model year up to and including the 1986 model year shall be valued based upon 100% of their 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 Appraisal Guide to be published in January 2010. In the event of a conflict between the two above, the former shall prevail.
- 1.04 All motor vehicles identified as the 1985 model year and older, whether or not the vehicle is an antique motor car as defined in Section 31-1-3(f) 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 whether or not the same is an antique motor car as defined in Section 31-1-3(f) 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 model year up to and including the 1986 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 Appraisal Guide to be published in January 2010.
- 1.06 All motor vehicles identified as the 2009 model year up to and including the 1986 model year that are classified as recreation vehicles shall be valued based upon 100% of their average retail value as reported by the National Automobile Dealers Association (NADA) Recreation Vehicle Appraisal guide to be published in January 2010.

- 1.07 All motorcycles identified as 2009 model year up to and including the 1986 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.
- 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.

Section 4 **Severability**

- 1.01 If any section, term, or provision of this Regulation should be adjudged invalid for any reason, that judgment should not effect, impair, or invalidate any remaining sections, terms or provisions, which shall remain in full force and effect.

CERTIFICATION

I certify that this document was adopted as a Rule of Procedure by the Rhode Island Vehicle Value Commission on October 29, 2009 in Accordance with Section 42-35-3 and 44-34-11 of the General Laws of the State of Rhode Island.

Linda Cwiek, Chairperson
Rhode Island Vehicle Value Commission

Section 5 **Effective Date**

This Regulation shall be effective twenty (20) days from the date of filing with the Secretary of State.

ADOPTED:

FILED:

EFFECTIVE:

