

2012 -- H 7253

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO TAXATION -- MOTOR VEHICLE TAX ELIMINATION

Introduced By: Representatives Silva, Serpa, and Tarro

Date Introduced: January 25, 2012

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 44-34.1-1 of the General Laws in Chapter 44-34.1 entitled "Motor
2 Vehicle and Trailer Excise Tax Elimination Act of 1998" is hereby amended to read as follows:
3 **44-34.1-1. Excise tax phase-out.** -- (a) (1) Notwithstanding the provisions of chapter 34
4 of this title or any other provisions to the contrary, the motor vehicle and trailer excise tax
5 established by section 44-34-1 may be phased out. The phase-out shall apply to all motor vehicles
6 and trailers, including leased vehicles. (2) Lessors of vehicles that pay excise taxes directly to
7 municipalities shall provide lessees, at the time of entering into the lease agreement, an estimate
8 of annual excise taxes payable throughout the term of the lease. In the event the actual excise tax
9 is less than the estimated excise tax, the lessor shall annually rebate to the lessee the difference
10 between the actual excise tax and the estimated excise tax. (b) Pursuant to the provisions of this
11 section, all motor vehicles shall be assessed a value by the vehicle value commission. That value
12 shall be assessed according to the provisions of section 44-34-11(c)(1) and in accordance with the
13 terms as defined in subsection (d) of this section; provided, however, that the maximum taxable
14 value percentage applicable to model year values as of December 31, 1997, shall continue to be
15 applicable in future year valuations aged by one year in each succeeding year. (c) (1) The motor
16 vehicle excise tax phase-out shall commence with the excise tax bills mailed to taxpayers for the
17 fiscal year 2000. The phase-out, beyond fiscal year 2003, shall be subject to annual review and
18 appropriation by the general assembly. The tax assessors of the various cities and towns and fire
19 districts shall reduce the average retail value of each vehicle assessed by using the prorated

1 exemptions from the following table:

2	Local Fiscal Year		State fiscal year
3	Exempt from value	Local Exemption	Reimbursement
4	fiscal year 1999	0	\$1,500
5	fiscal year 2000	\$1,500	\$2,500
6	fiscal year 2001	\$2,500	\$3,500
7	fiscal year 2002	\$3,500	\$4,500
8	fiscal years 2003, 2004 and 2005	\$4,500	\$4,500
9	for fiscal year 2006 and	\$5,000	\$5,000
10	for fiscal year 2007	\$6,000	\$6,000

11 for fiscal years 2008, 2009 and 2010 the exemption and the state fiscal year
12 reimbursement shall be increased, at a minimum, to the maximum amount to the nearest two
13 hundred and fifty dollar (\$250) increment within the allocation of one and twenty-two hundredths
14 percent (1.22%) of net terminal income derived from video lottery games pursuant to the
15 provisions of section 42-61-15, and in no event shall the exemption in any fiscal year be less than
16 the prior fiscal year. for fiscal year 2011 and thereafter, the exemption shall be five hundred
17 dollars (\$500); provided, however, that the fiscal year 2012 and thereafter, the exemption shall be
18 six thousand dollars (\$6,000) for residents of distressed communities as defined in section 45-13-
19 12. Cities and towns may provide an additional exemption; provided, however, any such
20 additional exemption shall not be subject to reimbursement. (2) The excise tax phase-out shall
21 provide levels of assessed value reductions until the tax is eliminated or reduced as provided in
22 this chapter. (3) Current exemptions shall remain in effect as provided in this chapter. (4) The
23 excise tax rates and ratios of assessment shall be maintained at a level identical to the level in
24 effect for fiscal year 1998 for each city, town, and fire district; provided, in the town of Johnston
25 the excise tax rate and ratios of assessment shall be maintained at a level identical to the level in
26 effect for fiscal year 1999 levels and the levy of a city, town, or fire district shall be limited to the
27 lesser of the maximum taxable value or net assessed value for purposes of collecting the tax in
28 any given year. Provided, however, for fiscal year 2011 and thereafter, the rates and ratios of
29 assessment may be less than but not more than the rates described in this subsection (4). (d)
30 Definitions. (1) "Maximum taxable value" means the value of vehicles as prescribed by section
31 44-34-11 reduced by the percentage of assessed value applicable to model year values as
32 determined by the Rhode Island vehicle value commission as of December 31, 1997, for the
33 vehicles valued by the commission as of December 31, 1997. For all vehicle value types not
34 valued by the Rhode Island vehicle value commission as of December 31, 1997, the maximum

1 taxable value shall be the latest value determined by a local assessor from an appropriate pricing
2 guide, multiplied by the ratio of assessment used by that city, town, or fire district for a particular
3 model year as of December 31, 1997. (2) "Net assessed value" means the motor vehicle values as
4 determined in accordance with section 44-34-11 less all personal exemptions allowed by cities,
5 towns, fire districts, and the state of Rhode Island exemption value as provided for in section 44-
6 34.1-1(c)(1). (e) If any provision of this chapter shall be held invalid by any court of competent
7 jurisdiction, the remainder of this chapter and the applications of the provisions hereof shall not
8 be effected thereby.

9 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO TAXATION -- MOTOR VEHICLE TAX ELIMINATION

1 This act would provide a six thousand dollars (\$6,000) exemption to the motor vehicle
2 excise tax for residents of distressed communities.

3 This act would take effect upon passage.

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