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LC01572/SUB A
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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 -- EXCISE ON MOTOR VEHICLES AND TRAILERS

Introduced By: Representative Stephen R. Ucci

Date Introduced: February 16, 2012

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 44-18-40 of the General Laws in Chapter 44-18 entitled "Sales and
2 Use Taxes - Liability and Computation" is hereby amended to read as follows:

3 **44-18-40. Exemption for buses, trucks and trailers in interstate commerce. – (a)**

4 Notwithstanding any provision of the general laws to the contrary, the purchase, rental or lease of
5 a ~~bus~~, truck, or trailer by a ~~bus-or~~ trucking company is not subject to the provisions of the sales
6 and use taxes imposed by this chapter on the condition that the ~~bus~~, truck and/or trailer is utilized
7 exclusively in interstate commerce.

8 **(b) Notwithstanding any provision of the law or regulation to the contrary, the operation**
9 **of a bus by a bus company in interstate commerce shall not be subject to the provisions of the**
10 **sales and use tax imposed by this chapter, on the condition that the bus is used eighty percent**
11 **(80%) or more of the time in interstate commerce and provided that the bus company shall**
12 **provide a properly executed affidavit attesting to the fact that the bus is used no less than eighty**
13 **percent (80%) of the time in interstate commerce.**

14 SECTION 2. Section 44-34-4.1 of the General Laws in Chapter 44-34 entitled "Excise on
15 Motor Vehicles and Trailers" is hereby amended to read as follows:

16 **44-34-4.1. Exemptions for buses, trucks and trailers in interstate commerce. –**

17 **(a)** Notwithstanding any provision of the general laws to the contrary, the operation of a
18 ~~bus~~, truck, or trailer by a ~~bus or~~ trucking company in interstate commerce shall not be subject to
19 the provisions of the excise tax imposed by this chapter, on the condition that the ~~bus~~, truck

1 and/or trailer is utilized exclusively in interstate commerce.

2 (b) Notwithstanding any provision of the law or regulation to the contrary, the operation
3 of a bus by a bus company in interstate commerce shall not be subject to the provisions of the
4 excise tax imposed by this chapter, on the condition that the bus is used eighty percent (80%) or
5 more of the time in interstate commerce and provided that the bus company shall provide a
6 properly executed affidavit attesting to the fact that the bus is used no less than eighty percent
7 (80%) of the time in interstate commerce.

8 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO TAXATION -- EXCISE ON MOTOR VEHICLES AND TRAILERS

1 This act would provide that buses, trucks and trailers operated by a bus company or truck
2 company would not be subject to an excise or sales and use tax on the condition that the bus,
3 truck and/or trailer is utilized for more than eighty percent (80%) of the time in interstate
4 commerce.

5 This act would take effect upon passage.

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