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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES

Introduced By: Representatives O'Grady, Ackerman, Marshall, Ucci, and Ajello

Date Introduced: January 08, 2015

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-3-6.1 of the General Laws in Chapter 31-3 entitled "Registration
2 of Vehicles" is hereby amended to read as follows:

3 **31-3-6.1. List of vehicles and licenses on which taxes delinquent -- Denial of renewal**
4 **of registration and licenses.** -- (a) The administrator/division of motor vehicles shall furnish to
5 the Tax Administrator a listing showing the names, addresses and social security numbers of
6 persons whose operator's license and/or motor vehicle registration is subject to renewal within
7 ninety (90) days. If within ninety (90) days prior to the renewal date the tax administrator
8 determines that any person seeking to renew his/her operator's license and/or registration has
9 neglected or refused to file any tax returns or to pay any tax administered by the tax administrator
10 and that such tax matter is not pending administrative or appellate review, the tax administrator
11 shall send a written notice to such person informing him/her of the tax administrator's intention to
12 inform the division of motor vehicles not to renew the person's operator license and/or motor
13 vehicle registration and of the procedures available to the person to contest that determination.

14 (b) Within twenty-one (21) days from the date of such notice, the licensee or registrant
15 may request, in writing, a conference with the tax administrator or his/her designee, in order to
16 show proof of payment of all taxes or for the purpose of entering into a time payment agreement
17 for the delinquent taxes satisfactory to the tax administrator. Notwithstanding any general or
18 public law to the contrary, if the licensee or registrant provides proof of involuntary
19 unemployment and proof that employment is being actively sought to the tax administrator during

1 the course of such a conference, this may be considered sufficient reason to allow license or
2 registration renewal during the verifiable period of involuntary unemployment. The tax
3 administrator shall promulgate rules and regulations to implement the provisions of this section.

4 (c) If upon the expiration of twenty-one (21) days from the date of the notice to the
5 licensee or registrant or, if a conference has been requested, after a conference has been held, the
6 licensee or registrant has not demonstrated to the satisfaction of the tax administrator that he/she
7 has filed all required returns and paid all required taxes, or that the licensee or registrant has not
8 entered into time payment arrangement satisfactory to the tax administrator, the tax administrator
9 shall notify the administrator/division of motor vehicles that the licensee or registrant is
10 delinquent in filing tax returns and/or remitting taxes due. The tax administrator shall send a copy
11 of the notification to the licensee or registrant.

12 (d) The administrator/division of motor vehicles shall not renew any operator's license or
13 registration upon expiration thereof until all state taxes, interest and attendant penalties have been
14 paid in full or the licensee or registrant has entered into a time payment agreement satisfactory to
15 the tax administrator.

16 (e) If the licensee thereafter files an overdue return and/or remits past taxes due or enters
17 into a satisfactory time payment agreement with respect to any and all returns due and taxes
18 payable, the tax administrator shall, within five (5) business days of a licensee's request, provide
19 the appropriate agency or authority the certificate of good standing specified in § 5-76-5. Within
20 five (5) business days of receiving such a certificate, the agency or authority shall reinstate,
21 reissue, renew or otherwise extend the licensee's license.

22 (f) Payment of tax not an admission. - If the licensee or registrant files an overdue return
23 and/or remits past due taxes in order to apply for or renew a license or registration, said late filing
24 and/or payment shall not be an admission of a violation of any criminal tax statute regarding late
25 filing and/or late payment. The tax administrator shall not refer such person to the Attorney
26 General for prosecution based solely upon said late filing and/or payment of past due taxes.

27 SECTION 2. Section 15-11.1-7 of the General Laws in Chapter 15-11.1 entitled "Full
28 Enforcement of Support Obligations" is hereby amended to read as follows:

29 **15-11.1-7. Suspension by board -- Notice from board.** -- (a) Upon receipt of the
30 certification of noncompliance from the department issued in accordance with § 15-11.1-6, a
31 board shall suspend the obligor's license and refuse to issue or reissue a license until the obligor
32 provides the board with a release from the department that states the obligor is in compliance with
33 the obligor's support order. When an obligor who is served notice under § 15-11.1-3 subsequently
34 complies with the court order of support, the department shall within five (5) business days after

1 compliance provide the obligor with written confirmation and a release that the obligor is in
2 compliance with the order. A suspension by a board or a refusal by a board to reissue, renew, or
3 otherwise extend the license or certificate of authority shall be deemed a final determination for
4 the purposes of chapter 35 of title 42.

5 (b) A board shall notify an obligor certified by the department under § 15-11.1-6,
6 without undue delay, that the obligor's application for the issuance or renewal of a license may
7 not be granted or that the obligor's license has been suspended because the obligor's name has
8 been certified by the department as a support obligor who is not in compliance with a court order
9 of support.

10 (c) Within five (5) business days of receiving written confirmation that the obligor is in
11 compliance with the court order of support, the board shall reinstate, reissue, renew or otherwise
12 extend the obligor's license or certificate of authority.

13 (d) In the event compliance with a court order of support is restored by the obligor
14 making periodic payments in accordance with a written payment to the department of human
15 services, pursuant to § 15-11.1-3, the obligor's license may be reissued, renewed, or otherwise
16 extended, provided the obligor satisfies the terms and conditions of the written payment
17 agreement without default, or if the obligor provides proof of involuntary unemployment and
18 proof that employment is being actively sought to the department, this may be considered
19 sufficient reason to allow license reissuance, renewal or extension during the verifiable period of
20 involuntary unemployment.

21 SECTION 3. This act shall take effect on January 1, 2016.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES

1 This act would allow persons who are involuntarily unemployed and who are subject to
2 license or registration non-renewal as a result of failure to pay taxes to obtain a conditional
3 renewal during their period of unemployment. It would also permit conditional license renewal
4 incidental to any written payment agreement with the department of human services in relation to
5 child support payments.

6 This act would take effect on January 1, 2016.

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