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LC00482/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: Senator William A. Walaska

Date Introduced: January 26, 2012

Referred To: Senate 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

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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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