

2016 -- H 8161

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LC005855
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO TAXATION -- MOTOR VEHICLE AND TRAILER EXCISE TAX
ELIMINATION ACT OF 1998

Introduced By: Representatives O'Brien, Corvese, Slater, Marshall, and McEntee

Date Introduced: May 05, 2016

Referred To: House Finance

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 § 44-34-1 may be phased out. The phase-out shall apply to all motor vehicles and
6 trailers, including leased vehicles.

7 (2) Lessors of vehicles that pay excise taxes directly to municipalities shall provide
8 lessees, at the time of entering into the lease agreement, an estimate of annual excise taxes
9 payable throughout the term of the lease. In the event the actual excise tax is less than the
10 estimated excise tax, the lessor shall annually rebate to the lessee the difference between the
11 actual excise tax and the estimated excise tax.

12 (b) Pursuant to the provisions of this section, all motor vehicles shall be assessed a value
13 by the vehicle value commission. That value shall be assessed according to the provisions of §
14 44-34-11(c)(1) and in accordance with the terms as defined in subsection (d) of this section;
15 provided, however, that the maximum taxable value percentage applicable to model year values
16 as of December 31, 1997, shall continue to be applicable in future year valuations aged by one
17 year in each succeeding year.

18 (c)(1) The motor vehicle excise tax phase-out shall commence with the excise tax bills

1 mailed to taxpayers for the fiscal year 2000. The phase-out, beyond fiscal year 2003, shall be
 2 subject to annual review and appropriation by the general assembly. The tax assessors of the
 3 various cities and towns and fire districts shall reduce the average retail value of each vehicle
 4 assessed by using the prorated exemptions from the following table:

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

13 for fiscal years 2008, 2009 and 2010 the exemption and the state fiscal year
 14 reimbursement shall be increased, at a minimum, to the maximum amount to the nearest two
 15 hundred and fifty dollar (\$250) increment within the allocation of one and twenty-two hundredths
 16 percent (1.22%) of net terminal income derived from video lottery games pursuant to the
 17 provisions of § 42-61-15, and in no event shall the exemption in any fiscal year be less than the
 18 prior fiscal year.

19 for fiscal year 2011, [2012, 2013, 2014, 2015](#) and [2016 thereafter](#), the exemption shall be
 20 five hundred dollars (\$500).

21 [for fiscal year 2017 and thereafter, the exemption shall be three thousand dollars](#)
 22 [\(\\$3,000\)](#). Cities and towns may provide an additional exemption; provided, however, any such
 23 additional exemption shall not be subject to reimbursement.

24 (2) The excise tax phase-out shall provide levels of assessed value reductions until the tax
 25 is eliminated or reduced as provided in this chapter.

26 (3) Current exemptions shall remain in effect as provided in this chapter.

27 (4) The excise tax rates and ratios of assessment shall be maintained at a level identical to
 28 the level in effect for fiscal year 1998 for each city, town, and fire district; provided, in the town
 29 of Johnston the excise tax rate and ratios of assessment shall be maintained at a level identical to
 30 the level in effect for fiscal year 1999 levels and the levy of a city, town, or fire district shall be
 31 limited to the lesser of the maximum taxable value or net assessed value for purposes of
 32 collecting the tax in any given year. Provided, however, for fiscal year 2011 and thereafter, the
 33 rates and ratios of assessment may be less than but not more than the rates described in this
 34 subsection (4).

1 (d) Definitions.

2 (1) "Maximum taxable value" means the value of vehicles as prescribed by § 44-34-11
3 reduced by the percentage of assessed value applicable to model year values as determined by the
4 Rhode Island vehicle value commission as of December 31, 1997, for the vehicles valued by the
5 commission as of December 31, 1997. For all vehicle value types not valued by the Rhode Island
6 vehicle value commission as of December 31, 1997, the maximum taxable value shall be the
7 latest value determined by a local assessor from an appropriate pricing guide, multiplied by the
8 ratio of assessment used by that city, town, or fire district for a particular model year as of
9 December 31, 1997.

10 (2) "Net assessed value" means the motor vehicle values as determined in accordance
11 with § 44-34-11 less all personal exemptions allowed by cities, towns, fire districts, and the state
12 of Rhode Island exemption value as provided for in § 44-34.1-1(c)(1).

13 (e) If any provision of this chapter shall be held invalid by any court of competent
14 jurisdiction, the remainder of this chapter and the applications of the provisions hereof shall not
15 be effected thereby.

16 SECTION 2. This act shall take effect December 31, 2016.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO TAXATION -- MOTOR VEHICLE AND TRAILER EXCISE TAX
ELIMINATION ACT OF 1998

- 1 This act would increase the exemption for the motor vehicle excise tax from five hundred
- 2 dollars (\$500) to three thousand dollars (\$3,000).
- 3 This act would take effect December 31, 2016.

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