# CONCISE EXPLANATORY STATEMENT

In accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42352.6, following is a concise explanatory statement:

**AGENCY: Department of Revenue**

**DIVISION:** Division of Motor Vehicles

**RULE IDENTIFIER**: 280-RICR3010-15

**RULE TITLE:** Limited Power of Attorney Form

**REASON FOR RULEMAKING**: R.I.G.L. 31-3-3(c) as amended during the 2023 legislative session requires the Department of Revenue/Division of Motor Vehicles to publish rules and regulations in order to effectuate the publication and use of a limited power of attorney form for registration transactions.

**TESTIMONY AND COMMENTS:** The DMV received comments regarding the use of the power of attorney form itself, but not necessarily with the proposed rule. The first comment is a request that the power of attorney form be available in electronic format. The DMV has made the power of attorney form available on its website as a fillable PDF. The second comment is a request that, if the power of attorney is to be required in hard copy format, that the DMV ensure that bulk orders of the power of attorney be available. Again, the DMV has made the power of attorney form available in fillable PDF format for free to any individual or business to download at will. The final comment is a request that the DMV allow electronic signatures in lieu of the notary requirement. The DMV is not equipped to accept electronic signatures at this time and, furthermore, the statute authorizing the power of attorney form specifically requires that the power of attorney “shall be witnessed and executed before a notary public” (R.I. Gen. Laws § 31-3-3 (c)).

**CHANGE TO TEXT OF THE RULE**: No changes have been made to the final version of the rule.