

State of Rhode Island and Providence Plantations
Rhode Island Department of Revenue
Division of Taxation

Public Notice of Proposed Rule-Making

RULE IDENTIFIER: ERLID 221

REGULATION TITLE: Tire Recapping

TIMETABLE FOR ACTION ON THE PROPOSED RULE:

Public Notice Date: February 13, 2018

End of Comment Period Date: March 16, 2018

Pursuant to the provisions of R.I. Gen. Laws § 42-35-2(a)(1), and in accordance with the Administrative Procedures Act, R.I. Gen. Laws Chapter 42-35, the Division of Taxation hereby gives notice of its intent to repeal a regulation regarding Tire Recapping.

The proposed regulation and concise summary of non-technical requirements and proposed new rules are available for public inspection at www.tax.ri.gov, in person at the Rhode Island Division of Taxation, or requested by e-mail at Michael.Taylor@tax.ri.gov or by calling Michael Taylor at (401) 574-8930.

In the development of the proposed regulation, consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) whether the regulation, in and of itself, would have significant economic impact on small businesses. No alternative approach, duplication, or overlap was identified based upon available information.

All interested parties are invited to submit written or oral comments concerning the proposed regulations by Thursday, March 16, 2018 to Michael Taylor, Rhode Island Division of Taxation, One Capitol Hill, Providence, RI – telephone number (401) 574-8930 or via e-mail at Michael.Taylor@tax.ri.gov.

This rule is not expected to be controversial and shall be submitted as a direct final rule pursuant to R.I. Gen. Laws § 42-35-2.11. The proposed rule takes effect thirty (30) days after publication if no objection is received. If no objection is received, the rule becomes final. If an objection to the rule is received from any person not later than thirty (30) days after publication of the notice of the proposed rule, the proposed rule does not become final.

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Concise summary of all non-technical requirements pursuant to R.I. Gen. Laws § 42-35-2(a)(1) for rules and regulations regarding Tire Recapping.

The purpose of this regulation is repeal the regulation regarding Tire Recapping. This regulation shall take effect March 16, 2018.

State of Rhode Island—Division of Taxation

Sales and Use Tax

Regulation SU 87-107

Tire Recapping

Tire recappers must collect the sales tax when they sell a recapped tire and when they recap an individual's tires on special order, they must collect the tax on the total amount charged, since in the first instance they are selling tangible personal property and in the second instance they are fabricating or producing tangible personal property on special order for a consideration.

R. GARY CLARK

TAX ADMINISTRATOR

DATE: May 1, 1987