

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 358

Short Title: Fair Automobile Property Taxes.

(Public)

Sponsors: Representatives Allred; Arnold, Brown, Cansler, Capps, Creech, Davis, Hill, Justus, Morris, Rayfield, Russell, Sherrill, Walend, Warner, and Wood.

Referred to: Finance.

March 8, 1999

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT A MOTOR VEHICLE'S PROPERTY TAX VALUE
2 MAY NOT EXCEED ITS TRADE-IN VALUE, AND TO EXTEND THE TIME
3 PERIOD FOR APPEALING A VEHICLE'S APPRAISED VALUE.
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5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 105-330.2 reads as rewritten:

7 "**§ 105-330.2. Appraisal, ownership, and situs.**

8 (a) Date Determined. – The value of a classified motor vehicle listed pursuant to
9 G.S. 105-330.3(a)(1) (registered vehicles) shall be determined as follows:

10 (1) For a vehicle registered under the staggered system, the value shall be
11 determined annually as of January 1 preceding the date a new
12 registration is applied for or the current registration expires.

13 (2) For a vehicle newly registered under the annual system, the value shall
14 be determined as of January 1 of the year the new registration is
15 obtained. For a vehicle whose registration is renewed under the annual
16 system, the value shall be determined as of January 1 following the date
17 the registration expires.

18 If the value of a new motor vehicle cannot be determined as of the date specified
19 above, the value of that vehicle shall be determined for that year as of the date that model

1 vehicle is first offered for sale at retail in this State. The ownership, situs, and taxability
2 of a classified motor vehicle listed pursuant to G.S. 105-330.3(a)(1) (registered vehicles)
3 shall be determined annually as of the day on which a new registration is applied for or
4 the day on which the current vehicle registration is renewed, regardless of whether the
5 registration is renewed after it has expired.

6 The value of a classified motor vehicle listed pursuant to G.S. 105-330.3(a)(2)
7 (unregistered vehicles) shall be determined as of January 1 of the year in which the motor
8 vehicle is required to be listed pursuant to G.S. 105-330.3(a)(2). The ownership, situs,
9 and taxability of a classified motor vehicle listed or discovered pursuant to G.S. 105-
10 330.3(a)(2) (unregistered vehicles) shall be determined as of January 1 of the year in
11 which the motor vehicle is required to be listed.

12 (b) Value; Appeal. – A classified motor vehicle shall be appraised by the assessor
13 at the lesser of its true value in money as prescribed by G.S. ~~105-283~~-105-283 or the
14 applicable retail trade-in value, if any, determined under the National Automobile
15 Dealers Association Official Used Car Guide. The owner of a classified motor vehicle
16 may appeal the appraised value of the vehicle in the manner provided by G.S. 105-312(d)
17 for appeals in the case of discovered property and may appeal the situs or taxability of the
18 vehicle in the manner provided by G.S. 105-381. The owner of a classified motor vehicle
19 must file an appeal of appraised value with the assessor within 30 days after the date of
20 the tax notice prepared pursuant to G.S. ~~105-330.5~~-105-330.5 or by the date the tax on the
21 vehicle is due, whichever is later. Notwithstanding G.S. 105-312(d), an owner who
22 appeals the appraised value of a classified motor vehicle shall pay the tax on the vehicle
23 when due, subject to a full or partial refund if the appeal is decided in the owner's favor.

24 (c) Administration. – The Department of Revenue, acting through the Property
25 Tax Division, and the Department of Transportation, acting through the Division of
26 Motor Vehicles, shall enter into a memorandum of understanding concerning the vehicle
27 identification information, name and address of the owner, and other information that will
28 be required on the motor vehicle registration forms to implement the tax listing and
29 collection provisions of this Article."

30 Section 2. This act is effective for taxes imposed for taxable years beginning
31 on or after July 1, 1999.