

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #5

Do Not Mark In this Box

FILED IN THE OFFICE OF
THE SECRETARY OF STATE
THIS DATE July 26, 1991
ADMINISTRATIVE LAW DIVISION

**NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY: Tax TITLE NUMBER: 110-1N

CITE AUTHORITY: 11-1C-1

RULE TYPE: PROCEDURAL _____ INTERPRETIVE _____

EXEMPT LEGISLATIVE RULE X
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

11-1C-1

AMENDMENT TO AN EXISTING RULE: YES _____, NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: 1N

TITLE OF RULE BEING ADOPTED: Valuation of Vehicles,
Watercraft + Aircraft for Ad Valorem
Property Tax purposes.

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS July 1, 1991

WEST VIRGINIA LEGISLATIVE REGULATIONS
DEPARTMENT OF TAX AND REVENUE
TITLE 110
SERIES 1N
1991

FILED
1991 JUL 26 PM 3:38
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

VALUATION OF VEHICLES, WATERCRAFT AND AIRCRAFT
FOR AD VALOREM PROPERTY TAX PURPOSES

§ 110-1N-1. General.

1.1 Scope. - These regulations clarify and implement state law as it relates to the appraisal at market value of vehicles, watercraft and aircraft for ad valorem property tax purposes. Because these regulations provide context modifications of relevant parts of 110 C.S.R. 1 and such regulations with context modifications were adopted by the Tax Commissioner, W. Va. Code § 11-1C-5(b) eliminates the requirement that this filing be subject to the procedure requirements of W. Va. Code § 29A-3-1 et seq.

1.2 Authority. - W. Va. Code §§ 11-1C-1 et seq.

1.3 Filing date. -

1.4 Effective date. - July 1, 1991.

§ 110-1N-2. Definitions. - As used in these regulations and unless the context clearly requires a different meaning, the following terms shall have the meaning ascribed herein, and shall apply in the singular or in the plural.

2.1 Vehicles. - The term "Vehicle" shall include, but is not limited to, automobiles, trucks, truck tractors, trailers, motor homes, campers, motorcycles, motorbikes and mopeds.

2.2 Assessment day. - The term "Assessment Day" means the first (1st) day of July of each assessment year for ad valorem property tax purposes.

§ 110-1N-3. Valuation of Automobiles.

3.1 The several county assessors shall appraise motor vehicles as follows: The State Tax Commissioner shall annually compile a schedule of automobile values based upon the lowest values shown in a nationally accepted used car guide, which said schedule shall be furnished to each assessor and shall be used by the several county assessors to determine the assessed value for all motor vehicles in an amount equal to sixty percent of said lowest values.

3.2 The Tax Commissioner may use a separately published schedule, copies of subject guides furnished to assessors, a data file on the statewide property tax computer network, or a combination of any of these methods to accomplish this purpose.

3.3 Older vehicle models in this classification which are excluded from the schedule of the Tax Commissioner because of their age, shall have their last appraised value depreciated by ten percent (10%) per year until the value reaches two hundred dollars (\$200). Thereafter, the appraised value will remain constant for so long as the vehicle is owned by the taxpayer.

§ 110-1N-4. Valuation of Trucks, Recreational Vehicles, Motorcycles, Mopeds and Other Vehicles.

4.1 The local assessor shall use a current appraisal guide published by a recognized authority, directed by the Tax Commissioner for the month of July of the current assessment year to ascertain the appraised value of such vehicles, based on the lowest values in subject guide.

4.2 Older vehicle models in this classification which are excluded from recognized appraisal guides because of their age, shall have their last appraised value depreciated by ten percent (10%) per year until the value reaches two hundred dollars (\$200). Thereafter, the appraised value will remain constant for so long as the vehicle is owned by the taxpayer.

§ 110-1N-5. Valuation of Watercraft.

5.1 The Tax Commissioner shall direct the purchase of nationally recognized comprehensive price listing service for watercraft such as power boats, bass boats, canoes, row boats, pontoon boats, cabin cruisers, etc., as the basis of appraised values. The Tax Commissioner shall supply this listing to each county assessor for use in determining the appraised value of watercraft.

5.2 Older watercraft models which are excluded from recognized appraisal guides because of their age, shall have their last appraised value depreciated by ten percent (10%) per year until the value reaches two hundred dollars (\$200). Thereafter, the appraised value will remain constant for so long as the vehicle is owned by the taxpayer.

§ 110-1N-6. Valuation of Airplanes.

6.1 The Tax Commissioner shall annually, in writing, direct county assessors to use an aircraft appraisal guide published by a nationally recognized authority, which guide shall be purchased by each assessor who has aircraft located in his county.

6.2 The local assessors shall determine the appraised value of special radio equipment and radar and other avionic equipment purchased and installed in the aircraft. The total appraised value of the aircraft shall be determined based on the retail value of both the aircraft and its navigational equipment.

§ 110-1N-7. Taxpayer Return.

7.1 The Tax Commissioner shall print taxpayer return forms. Such forms shall be furnished to each assessor who will distribute said forms to taxpayers for completion and return.

Department of Tax and Revenue

Title 110

Series 1N

7.2 To assure equality and uniformity in administration, no assessor or taxpayer shall substitute or supplement any other form for the Tax Commissioner's prescribed returns, without the prior approval of the Tax Commissioner. All such approvals granted by the Tax Commissioner prior to the effective date of this rule are hereby continued.

7.3 All taxpayers shall prepare one (1) copy of appropriate property tax returns and file it with the assessor of the county wherein the real property lies, or where the taxpayer lives when reporting personal property.

7.4 All other property appraisal returns required by this rule shall be filed no later than October 1st of each year.

7.5 The assessor, for good cause shown, may grant an extension of filing deadlines.

KEN HECHLER
Secretary of State

MARY P. RATLIFF
Deputy Secretary of State

ROBERT E. WILKINSON
Deputy Secretary of State

CATHERINE FREROTTE
Executive Assistant

Telephone: (304) 345-4000
Corporations: 342-8000



STATE OF WEST VIRGINIA

SECRETARY OF STATE

Charleston 25305

WILLIAM H. HARRINGTON
Chief of Staff

JUDY COOPER
Director, Administrative Law

DONALD R. WILKES
Director, Corporations

SHEREE COHEN
Special Assistant

(Plus all the volunteer
help we can get)

RECEIVED
92 MAR 23 AM 10:23
STATE TAX DEPARTMENT
LEGAL DIVISION

TO: John Montgomery

AGENCY: Tax and Revenue

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: March 19, 1992

THE ATTACHED RULE RECENTLY FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 1N TITLE: Valuation of Vehicles, Watercraft and Aircraft for Ad Valorem Property Tax Purposes

* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: _____

TITLE OF PERSON SIGNING: _____

DATE: _____

* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED.

SIGNED: John Montgomery

TITLE OF PERSON SIGNING: Attorney

DATE: 7-9-92