

HOUSE No. 6351

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 9, 1973.

The committee on Taxation, to whom was referred so much of the recommendations of the State Tax Commission (House, No. 267) as relates to sales and use taxes on motor vehicles (accompanied by bill, House, No. 285), report recommending that the accompanying bill (House, No. 6351) ought to pass.

For the committee,

JAMES. A. O'BRIEN, Jr.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Three.

AN ACT RELATING TO SALES AND USE TAXES ON MOTOR VEHICLES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Paragraph (14) of section 1 of chapter 64H of the General
2 Laws, as appearing in chapter 757 of the Acts of 1967, is hereby
3 amended by adding the following clause: -

4 (d) For purposes of determining the sales price of a motor
5 vehicle or trailer as defined in section one of chapter ninety,
6 acquired from a vendor who is not regularly engaged in the busi-
7 ness of making sales at retail, "sales price" shall mean: -

8 (1) the consideration actually paid by the purchaser to the
9 vendor, or

10 (2) an amount equal to the following percentage of the list
11 price established by the manufacturer for the year of manufac-
12 ture:

13 For a sale in the year preceding the designated year of	
14 manufacture	90%
15 In the year of manufacture	90%
16 In the second year	60%
17 In the third year	40%
18 In the fourth year	25%
19 In the fifth year	10%
20 In the sixth and succeeding years	5%
21 whichever is the greater.	

22 The term "year of manufacture", as used in this clause, shall
23 mean the year used by the manufacturer of the motor vehicle or
24 trailer in connection with the designation by him or it of
25 model of such motor vehicle or trailer.

26 The purchaser of a motor vehicle or trailer who believes the
27 sales price as so determined to be excessive may apply for an
28 abatement of that portion of the tax paid on so much of such
29 sales price as he believes to be excessive in accordance with the

30 provisions of section twenty and forms for such application shall
31 be available to such purchaser at the time and place of payment
32 of the tax.

33 Nothing in this clause shall be construed to prevent the state
34 tax commission from granting an abatement in any case in which
35 the sales price as so determined is in their opinion excessive.

