

**ECONOMIC IMPACT STATEMENT
FOR APA RULE
(Section 41-22-23(f))**

Control No. 810 Department or Agency REVENUE

Rule No: **810-4-1-.09**

Rule Title: **Valuation of Aircraft**

New Amend Repeal Adopt by Reference

This rule has no economic impact.

This rule has an economic impact, as explained below:

1. NEED/EXPECTED BENEFIT OF RULE:
2. COSTS/BENEFITS OF RULE AND WHY RULE IS THE MOST EFFECTIVE, EFFICIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND ACHIEVING THE STATED PURPOSE:
3. EFFECT OF THIS RULE ON COMPETITION:
4. EFFECT OF THIS RULE ON COST OF LIVING AND DOING BUSINESS IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:
5. EFFECT OF THIS RULE ON EMPLOYMENT IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:
6. SOURCE OF REVENUE TO BE USED FOR IMPLEMENTING AND ENFORCING THIS RULE:
7. THE SHORT-TERM/LONG-TERM ECONOMIC IMPACT OF THIS RULE ON AFFECTED PERSONS, INCLUDING ANALYSIS OF PERSONS WHO WILL BEAR THE COSTS AND THOSE WHO WILL BENEFIT FROM THE RULE:
8. UNCERTAINTIES ASSOCIATED WITH THE ESTIMATED BENEFITS AND BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE BENEFITS AND BURDEN COMPARISON:
9. THE EFFECT OF THIS RULE ON THE ENVIRONMENT AND PUBLIC HEALTH:
10. DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE RULE IS NOT IMPLEMENTED:
11. OTHER COMMENTS:

APA-2
11/96

ALABAMA DEPARTMENT OF REVENUE
Property Tax Division

NOTICE OF INTENDED ACTION

RULE NO. & TITLE

810-4-1-.09 Valuation of Aircraft

INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to clarify the procedures for the valuation of aircraft when using the purchase price as the basis of valuation.

RULE NO. & TITLE

810-4-1-.18 Synchronization of Taxation and Registration System -
Assessment Procedures

INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to revise the procedures for the valuation of new year model motor vehicles when no average retail value is available.

TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be held at **1:30 p.m. on Wednesday, August 12, 2015, Room 1203, First Floor, Gordon Persons Building, located at 50 N Ripley Street, Montgomery, Alabama.** Copies of the rule(s) can be obtained at <http://revenue.alabama.gov/analysis/upcoming-rule-hearings.cfm>

All interested parties may present their views in writing to the **Secretary of the Alabama Department of Revenue, Room 4131, Gordon Persons Building, 50 N Ripley Street, Montgomery, Alabama 36132** at any time during the thirty-five (35) day period following publication of the notice or by appearing at the hearing.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, August 12, 2015

CONTACT PERSON AT AGENCY:

Patricia Thomas
Alabama Department of Revenue
4131 Gordon Persons Building
Montgomery, Alabama 36132
(334) 242-1380



Michael D. Gamble, Secretary
Alabama Department of Revenue

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810-4-1-.09 Valuation of Aircraft.

(1) PURPOSE - This rule is issued pursuant to the authority contained in Section 40-7-64, Code of Alabama 1975, for the purpose of establishing guidelines and procedures for the valuation of aircraft, except public utility aircraft and commercial air carriers, for ad valorem tax purposes.

(2) PROCEDURES - To ensure the equitable taxation of aircraft in the State of Alabama, the following procedures shall be used for valuing aircraft as of October 1 of each tax year.

(a) The Property Tax Division shall provide annual aircraft valuation guides to county tax assessing officials charged with the duty of assessing aircraft.

(b) Each county official charged with the duty of assessing aircraft shall use the valuation guides provided by the department each year in the appraisal of aircraft for the purpose of assessing aircraft for ad valorem taxation.

(3) GUIDELINES FOR THE ASSESSMENT OF AIRCRAFT SHALL BE:

(a) All aircraft are assessed as Class II property (20% of market value).

(b) The retail value in the valuation guide provided by the Department of Revenue shall be the basis for determining the market value of the aircraft. The market value shall be 89% of the retail value of the aircraft, adjusted for condition, avionics, etc., to arrive at a fair market value.

(c) The purchase price, plus any additional cost for rebuilding or modifications after purchase, Aircraft Blue Book, Trade-A-Plane, other nationally recognized publications or area comparables may be used as a basis of **assessed market** value when a value is not provided in the valuation guide. **The purchase price, plus any additional cost for rebuilding or modifications after purchase, if used, will be multiplied by the appropriate ten year economic life composite factor based on year of acquisition and acquisition cost to calculate market value.** The assessed value will be determined by **taking multiplying the calculated market value by 20% of the total cost.** ~~However, the~~ **The** assessed value shall not go below the \$500 minimum assessed value for aircraft.

(d) Airplanes used exclusively for the purpose of crop dusting are exempt from ad valorem tax. A taxpayer should claim the exemption at the time the property is assessed.

(e) Aircraft are to be assessed in the county in which the aircraft is generally based, departs from, and returns to in its normal operation. The tax lien attaches to all aircraft with situs in the state on October 1 for collection one year later. If an aircraft is not physically in the state on October 1, this does not mean the aircraft is not taxable for the

entire year. If the aircraft is normally kept in the state, even though it may have been out of the state on October 1, it would be taxable.

(f) An aircraft dealer who claims aircraft on the return as inventory should also provide the county with the following information as it relates to the business: Section 315 license number, sales tax resale number, number of sales in the preceding 36 months, other counties in the state where inventory is located, and a detailed listing of the inventory in **the each** county in the state where a return is filed, including year, make, model, and N number.

(g) "Kit" or "self-assembled" aircraft shall be **taxed valued** in accordance with this rule at the time of inspection and approval as airworthy. Prior to inspection and approval as airworthy, the market value **of the "parts"** will be **their the total cost of all kit parts** multiplied by the appropriate **ten year economic life** composite factor **based on year of acquisition and acquisition cost** and the cost **multiplied by the appropriate ten year economic life composite factor** will be used as the basis **of market value** each year until the inspection and approval of airworthiness is achieved. **Upon inspection and approval of airworthiness, Aircraft Blue Book, Trade-A-Plane, other nationally recognized publications, internet web sites, or area comparables may be used as a basis for market value.**

(h) Any aircraft that is reported as not airworthy is subject to property tax on the lien date of October 1 each year. The market value as determined in (3) (b) will be reduced by the cost to cure the aircraft's deficiency. This is the adjusted market value subject to tax. The cost to cure the deficiency will be determined by the appraiser based on:

1. Documented statement from licensed aircraft mechanic.
2. Physical inspection of the aircraft.

(i) Hot Air Balloons shall be valued according to the procedures in the Alabama Personal Property Appraisal Manual, as it may be amended from time to time.

Author: Jennifer Hughes
Authority: Sections 40-2A-7(a)(5) and 40-7-64, Code of Alabama 1975
History: Original rule filed April 6, 1984, effective October 1, 1984.
Amended: Filed January 26, 1998, effective March 2, 1998.
Amended: Filed November 2, 2004, effective December 7, 2004.
Amended: Filed August 4, 2009, effective September 8, 2009.