

## **Definitions**

**Antique Motor Car.** Any motor vehicle that is more than twenty-five (25) years old. Unless fully inspected and meeting inspection requirements, the vehicle may be maintained solely for use in exhibitions, club activities, parades, and other functions of public interest. The vehicle may also be used for limited enjoyment and purposes other than the previously mentioned activities, but may not be used primarily for the transportation of passengers or goods over any public highway.

(2) After the vehicle has met the requirements of state inspection, a registration plate may be issued to it on payment of the standard fee. The vehicle may be operated on the highways of this and other states, and may, in addition to the registration plate, retain the designation "antique" and display an "antique plate".

(3) For any vehicle that is more than twenty-five (25) years old, the division of motor vehicles may also issue or approve, subject to rules and regulations that may be promulgated by the administrator, a "year of manufacture plate" for the vehicle that is an exact replica plate designating the exact year of manufacture of the vehicle. The year of manufacture plate, as authorized by this subsection, need only be attached to the rear of the vehicle.

**Custom Vehicle.** Any motor vehicle that:

(1) Is at least twenty-five (25) or more years old and of a model year after 1948; or was manufactured to resemble a vehicle twenty-five (25) years old and of a model year after 1948; and

(2) Has been altered from the manufacturer's original design; or has a body constructed from nonoriginal materials.

(3) The model year and the year of manufacture that are listed on the certificate of title of a custom vehicle shall be the model year and year of manufacture that the body of such vehicle resembles.

**Reconstructed Vehicle.** Every vehicle of a type that must be registered under chapters 3 -- 9 of this title, which has been materially altered from its original construction by the removal, addition, or substitution of essential parts, new or used.

**Specially Constructed Vehicle.** Every vehicle of a type that must be registered under chapters 3 -- 9 of this title, but not originally constructed under a distinctive name, make, model, or type by a generally recognized manufacturer of vehicles; provided, that specially constructed vehicles shall include hand-built, home-built, and one-off cars that do not resemble any production car. Specially constructed vehicles shall be entitled to standard passenger

automobile plates; provided, that all safety and emissions standards applied to reconstructed vehicles are met.

**Street Rod.** A motor vehicle that:

(i) Is a 1948 or older vehicle; or the vehicle was manufactured after 1948 to resemble a vehicle manufactured before 1949; and

(ii) Has been altered from the manufacturer's original design; or has a body constructed from nonoriginal materials.

## **Rhode Island DMV Guidance**

### **Non-Titled Vehicles**

Rhode Island does not title vehicles model year 2000 and older. If you would like to obtain documentation in lieu of a title, you must provide the following documents:

- Bill of Sale (if you are not the current registered owner).
- Identification.
- Application for Registration and/or Driver License Information.
- Fee of \$12.50.

### **Custom Builds**

A custom built car or motorcycle can be registered or just titled and re-sold. You must present the DMV with documentation for all parts used to build the vehicle. The Enforcement Section of the Division of Motor Vehicles will verify all your documents.

- Additional information about Kit Vehicles and Custom Builds
- If you have questions, you can call the Enforcement Section of the Division of Motor Vehicles at (401) 462-5736 or visit the Enforcement Section located at the DMV headquarters in Cranston.

### **Kit Vehicles**

#### **Definition**

A kit vehicle is a motor vehicle (car, truck or motorcycle) that is built by an individual instead of a manufacturer.

To register a kit car or motorcycle the DMV requires certain paperwork be submitted in order to schedule your vehicle for a mandatory pre-registration inspection, which includes:

- Inspection of the vehicle for roadworthiness
- Rhode Island Assigned Vehicle Identification Number (VIN)
- Your vehicle must complete both phases of this inspection in order to be registered in Rhode Island.

#### **Inspection Application Procedure for Kit Vehicles (cars and trucks only)**

In order to apply for an inspection for your kit vehicle (car or truck) you must provide the DMV Enforcement section with the following:

- A photocopy of the Manufacturer's Certificate of Origin properly assigned in your name from the kit manufacturer

- A photocopy of the title properly assigned in your name (for vehicles 2001 and newer) or a registration certificate in the name of the person you purchased the vehicle from that you are using as a "donor vehicle" to complete your kit car or truck.
- You must also submit four color photographs of the completed vehicle, a photocopy of your operator's license and a phone number where you can be reached during normal DMV hours of operation (8:30 am to 4:00 pm, Monday through Friday).

### **Inspection Application Procedure for Kit Vehicles (motorcycles only)**

In order to apply for an inspection for your kit motorcycle you must provide the DMV's Enforcement section with the following documentation:

- A photocopy of the Manufacturer's Certificate of Origin for the frame you purchased from an authorized dealer for that frame properly assigned to you.
- A photocopy of the Manufacturer's Certificate of Origin for the motor you purchased from an authorized dealer for that motor properly assigned to you.
- A photocopy of the Manufacturer's Statement of Origin for the transmission you purchased from an authorized dealer for that transmission properly assigned to you.
- You must also provide four color photographs of your completed vehicle and a photocopy of your motorcycle operators license and a telephone number where you can be reached during normal DMV hours of operation (8:30 am to 4:00 pm, Monday through Friday).
- Send the above mentioned paperwork to: Division of Motor Vehicles 600 New London Avenue, Cranston, RI 02920, Attention: Enforcement Section
- Your packet will be processed and you will be called to arrange an appointment for your kit vehicle to be inspected.
- If you have any questions concerning this procedure, please call the DMV's Enforcement Section at (401) 462-5737.

### **The Legal End**

- The kit vehicle you build must conform to all State motor vehicle safety requirements before it can be issued a Rhode Island Vehicle Identification Number.
- Before registration but after your inspection you must have your receipts audited by a Rhode Island Sales Tax Revenue Agent.
- In order to process a registration for your kit vehicle, your insurance company must issue and you must have proof of insurance bearing the Rhode Island Assigned Vehicle Identification Number assigned to your kit vehicle.

- The issuance of a Rhode Island Vehicle Identification Number to your kit vehicle is authorized under the State's Reconstructed or Specially Constructed Vehicle Law (RIGL 31-1-6). This law provides that you as the builder can apply for the issuance of a registration for a vehicle not constructed by a generally recognized manufacturer.
- For more information, please call (401) 462-5737

## **Rhode Island Laws**

### **From General Laws of Rhode Island:**

#### **Gen.Laws 1956, § 31-3.1-38. Effective dates--Applicability**

This chapter shall apply to all model vehicles designated as 2001 models and all subsequent model year vehicles. All vehicles designated as model years prior to 2001 shall be excluded from these provisions

#### **Gen.Laws 1956, § 31-3-31.1. Registration of street rods and custom vehicles**

##### **(a) Definition of terms:**

(1) A "street rod" means a motor vehicle that:

- (i) Is a 1948 or older vehicle; or the vehicle was manufactured after 1948 to resemble a vehicle manufactured before 1949; and
- (ii) Has been altered from the manufacturer's original design; or has a body constructed from nonoriginal materials.

(2) The model year and the year of manufacture that are listed on the certificate of title of a street rod vehicle shall be the model year and year of manufacture that the body of such vehicle resembles.

##### **(b) Registration fee and application for street rods shall be as follows:**

(1) For each such street rod, there shall be a one-time pre-registration surcharge of fifty dollars (\$50.00) which said sum(s) shall be accumulated by the division of motor vehicles until such time as said sum reaches an aggregate of twenty-three thousand dollars (\$23,000) whereupon said division is authorized to proceed with the ordering/manufacturing of plates as required by subsection (3) herein. In addition thereto, and from hence forth, there shall be paid regular registration fees required for standard passenger vehicles as determined by the division of motor vehicles.

(2)(i) In applying for registration of a street rod under this section, the owner of the street rod shall submit with the application a certification that the vehicle for which the application is made:

- (A) Will be maintained for occasional transportation, exhibitions, club activities, parades, tours, and similar uses; and
- (B) Will not be used for general daily transportation.

(ii) In addition to the certification required under paragraph (i) of this subsection, when applying for registration of a street rod, the new owner of the street rod shall provide proof acceptable to the administration that the street rod passed a safety inspection

that has been approved by the administration in consultation with the street rod community in this state.

(3) On registration of a vehicle under this section, the administration shall issue a special street rod vehicle registration plate of the size and design that the administration determines in consultation with the street rod community in this state.

(4) Unless the presence of the equipment was specifically required by a statute of this state as a condition of sale in the year listed as the year of manufacture on the certificate of title, the presence of any specific equipment is not required for the operation of a vehicle registered under this section.

(5) A vehicle registered under this section is exempt from any statute that requires periodic vehicle inspections and from any statute that requires the use and inspection of emission controls.

**Gen.Laws 1956, § 31-3-31.2. Custom vehicles--Definition--Registration and fees**

(a) A custom vehicle means any motor vehicle that:

(1) Is at least twenty-five (25) or more years old and of a model year after 1948; or was manufactured to resemble a vehicle twenty-five (25) years old and of a model year after 1948; and

(2) Has been altered from the manufacturer's original design; or has a body constructed from nonoriginal materials.

(3) The model year and the year of manufacture that are listed on the certificate of title of a custom vehicle shall be the model year and year of manufacture that the body of such vehicle resembles.

(b) For each such custom vehicle, there shall be a one-time pre-registration surcharge of fifty dollars (\$50.00) which said sum(s) shall be accumulated by the division of motor vehicles until such time as said sum reaches an aggregate of twenty-three thousand dollars (\$23,000) whereupon said division is authorized to proceed with the ordering/manufacturing of plates as required by subsection (d) herein. In addition thereto, and from hence forth, there shall be paid regular registration fees required for standard passenger vehicles as determined by the division of motor vehicles.

(c)(1) In applying for registration of a custom vehicle under this section, the owner of the custom vehicle shall submit with the application a certification that the vehicle for which the application is made:

(i) Will be maintained for occasional transportation, exhibitions, club activities, parades, tours, and similar uses; and

(ii) Will not be used for general daily transportation.

(2) In addition to the certification required under paragraph (1) of this subsection, when applying for registration of a custom vehicle, the new owner of the custom vehicle shall provide proof acceptable to the administration that the custom vehicle passed a safety inspection that has been approved by the administration in consultation with the custom vehicle community in this state.

(d) On registration of a vehicle under this section, the administration shall issue a special custom vehicle registration plate of the size and design that the administration determines in consultation with the custom vehicle community of this state.

(e) Unless the presence of the equipment was specifically required by a statute of this state as a condition of sale in the year listed as the year of manufacture on the certificate of title, the presence of any specific equipment is not required for the operation of a vehicle registered under this section.

(f) A vehicle registered under this section is exempt from any statute that requires periodic vehicle inspections and from any statute that requires the use and inspections of emission controls.

(g) Signal lamps and devices -- Street rod vehicles and custom vehicles:

(1) "Blue dot tail light" means a red lamp installed in the rear of a motor vehicle containing a blue or purple insert that is not more than one inch in diameter.

(2) A street rod or custom vehicle may use blue dot tail lights for stop lamps, rear turning indicator lamps, rear hazard lamps, and rear reflectors.

**Gen.Laws 1956, § 31-6-1. Amount of registration and miscellaneous fees**

(a) The following registration fees shall be paid to the division of motor vehicles for the registration of motor vehicles, trailers, semi-trailers, and school buses subject to registration for each year of registration: ...

(11) For the registration of motor vehicles used for racing, fifteen dollars (\$15.00).

...

(14) For every certificate assigning a special identification number or mark as provided in § 31-3-37, one dollar (\$1.00).

...

(17) For the registration of antique motor vehicles, five dollars (\$5.00).

**Gen.Laws 1956, § 44-34-2. Assessment--Valuation--Proration--Abatement and cancellation--Exemptions from tax**

(a) Except as provided in this section, the tax assessors of each city and town shall assess and levy in each calendar year on every vehicle and trailer registered under chapter 3 of title 31, for the privilege of the registration, an excise measured by its value, as subsequently defined and determined. For the purpose of this excise, the uniform value of each vehicle shall be determined in accordance with the regulations of the vehicle value commission. Any vehicle that is more than fifteen (15) years old, whether or not the vehicle is an antique motor car as defined in § 31-1-3(a), shall be deemed to possess an average retail value of five hundred dollars (\$500). The assessor may waive the excise tax on any vehicle where the annual levy would be less than five dollars (\$5.00). The state shall not provide reimbursement for any waiver.

(b) Vehicle and trailer excises shall be prorated over the calendar year prior to the year in which the excises are levied and billed, that year being referred to as the calendar year of proration.

(c) The excise levy on every vehicle and trailer registered under chapter 3 of title 31 shall be based on the ratio that the number of days the vehicle or trailer is registered is to the number of days in the calendar year of proration.

(d) If during the calendar year of proration, the owner of a vehicle or trailer subject to the excise moves permanently with his or her vehicle to another state and cancels his or her registration in this state and returns the registration plates, the vehicle shall be exempt from excise for the ensuing year.

(e) "Year of manufacture" as used in this section means the year used by the manufacturer of the vehicle or trailer in connection with the designation by the manufacturer of the model of the vehicle or trailer. Where the presumptive price of a vehicle or trailer is not readily obtainable, or special equipment is installed on the vehicle or trailer, the tax assessor shall prescribe the retail price to be used or the manner in which the retail price shall be determined. In making the determination of the presumptive price, the tax assessor shall determine the retail price of the vehicle and then apply the percentage corresponding with the appropriate fiscal year as specified in § 44-34-11(c)(1)(iii).

(f) Nothing in this section shall be construed to prevent any city or town council from granting an abatement, in whole or in part, when there is an error in the assessment of a tax, and the tax assessors have certified to the fact, in writing, to the city or town council to cancel taxes stating the nature of the error, the valuation of the vehicle or trailer, the amount of the assessed tax, and the name of the person to whom the vehicle or trailer was taxed.

(g) The city or town council may cancel, in whole or in part, an excise tax assessed to a person who has died leaving no estate, or a person who has moved from the state, and the tax collector or person acting in the capacity of tax collector certifies to the city or town council the facts of the case.

(h) The excise imposed by this section shall not apply to vehicles or trailers owned by the state of Rhode Island or any of its political subdivisions, or to vehicles or trailers owned by a corporation, association, or other organization whose tangible personal property is exempt under § 44-3-3(a)(1) -- (a)(15), or to vehicles assessed and taxed under § 44-13-13, or those owned by the United States government. Farm vehicles shall be exempt to the extent prescribed in § 44-5-42.

## **Rhode Island Equipment Exemptions**

### **From Rhode Island Official Manual for Vehicle Inspection**

H. THE FOLLOWING VEHICLES ARE EXEMPT FROM SAFETY AND EMISSIONS INSPECTION ACCORDINGLY:

...

7. Vehicles registered with Antique Plates are exempt, however, some antique registered vehicles also registered with passenger plates may be presented for inspection in order to comply with the state law that allows the unlimited use of such a vehicle if it passes a proper inspection.

...

11. Any vehicle while it is stored off the public road.

I. THE FOLLOWING VEHICLES ARE EXEMPT FROM THE EMISSIONS INSPECTION ACCORDINGLY:

1. A motor vehicle twenty-five (25) model years old or older will be given the required safety and emissions test for the same fees as other vehicles but will not be denied the approval if the owner fails to complete any emission repairs.

...

4. All reconstructed and homemade vehicles shall be inspected for emissions compliance using the standards and test procedures applicable for exhaust emission, functional emissions control devices and visual inspection for each individual vehicle based on the engine year of the engine installed in the vehicle at the time of the inspection.

### **From General Laws of Rhode Island:**

#### **Gen.Laws 1956, § 31-23-39. Safety seat belts in new vehicles**

It is unlawful for any person to buy, sell, lease, trade, or transfer from or to Rhode Island residents at retail an automobile, which is manufactured or assembled commencing with the 1964 models, unless the vehicle is equipped with safety belts installed for use in the left front and right front seat.

#### **Gen.Laws 1956, § 31-22-22. Safety belt use--Child restraint**

(a)(1) Any person transporting a child under the age of eight (8), less than fifty-seven inches (57") in height and less than eighty pounds (80 lbs.), in a motor vehicle operated on the roadways, streets, or highways of this state, shall transport the child in any rear seating position of the motor vehicle properly restrained in a child restraint system approved by the United States Department of Transportation under 49 C.F.R. § 571.213. All infants and toddlers under the age of two (2) years or weighing less than thirty pounds (30 lbs.) shall be restrained in a

rear-facing car seat. All children two (2) years of age or older or who have outgrown their rear-facing car seat by height or weight should use a forward-facing car seat with a harness up to the maximum allowed by the child restraint manufacturer. If the child is under eight (8) years old but at least fifty-seven inches (57") in height, or at least eighty pounds (80 lbs.), the child shall be properly wearing a safety belt and/or shoulder harness approved by the Department of Transportation pursuant to 49 C.F.R. § 571.208 in any rear seating position of the motor vehicle. For the purpose of this section, applying to all parts of this section, "rear seating position" means any seating positions located behind the driver and front seat passenger. Under this subsection, a child must be properly restrained in the front seat if:

- (i) The vehicle is not equipped with a back seat; or
- (ii) All rear seating positions are being utilized by other children.

(2) In no event shall failure to wear a child restraint system or safety belt be considered as contributory or comparative negligence, nor the failure to wear the child restraint system, seat belt and/or shoulder harness be admissible as evidence in the trial of any civil action.

(b)(1) Any operator of a motor vehicle transporting a child, who has attained the age of eight (8) years but is under eighteen (18) years of age, in any seating position within a motor vehicle operated on the roadways, streets, or highways of the state shall ensure that the passenger is properly wearing a safety belt and/or shoulder harness system, as defined by 49 C.F.R. § 571.208.

(2) Any operator of a motor vehicle under eighteen (18) years old shall properly wear a safety belt and/or shoulder harness system.

(3) This subsection applies only to those motor vehicles required by federal law to have safety belts.

...

(f)(1) Any operator of a motor vehicle transporting a person eighteen (18) years of age and older in any seating position of a motor vehicle operated on the roadways, streets, or highways of this state shall ensure that the person be properly wearing a safety belt and/or shoulder harness system, as defined by 49 C.F.R. § 571.208.

(2) The provisions of this subsection shall apply only to those motor vehicles required by federal law to have safety belts.

(g)(1) Any person who is an operator of a motor vehicle shall be properly wearing a safety belt and/or shoulder harness system as defined by 49 C.F.R. § 571.208 while the vehicle is in operation on any of the roadways, streets, or highways of this state.

(2) The provisions of this subsection shall apply only to those motor vehicles required by federal law to have safety belts.

(h) In no event shall failure to be properly restrained by a child restraint system or safety belt be considered as negligence, nor the failure to be properly restrained by the child restraint system or safety belt be admissible as evidence in the trial of any civil action.

(i) The provisions of subsections (b), (f) and (g) of this section shall not apply to a driver or passenger of:

**(1) A passenger motor vehicle manufactured before July 1, 1966**

**Gen.Laws 1956, § 31-24-24. Single beam lamps**

Head lamps arranged to provide a single distribution of light shall be permitted on motor vehicles **manufactured and sold prior to November 1, 1951**, in lieu of multiple beam road lighting equipment specified in this chapter if the single distribution of light complies with the following requirements and limitations:

(1) The head lamps shall be so aimed that when the vehicle is not loaded none of the high-intensity portion of the light shall, at a distance of twenty-five feet (25') ahead, project higher than a level of five inches (5") below the level of the center of the lamp from which it comes, and in no case higher than forty-two inches (42") above the level on which the vehicle stands at a distance of seventy-five feet (75') ahead.

(2) The intensity shall be sufficient to reveal persons and vehicles at a distance of at least two hundred feet (200').

(3) Violations of this section are subject to fines enumerated in § 31-41.1-4.