

~~(H) TRANSPORTATION PROPERTY IS INCLUDED IN THE NUMERATOR OF THE PROPERTY FACTOR TO THE EXTENT THAT THE PROPERTY IS USED IN THIS STATE. THE EXTENT AN AIRCRAFT WILL BE DEEMED TO BE USED IN THIS STATE AND THE AMOUNT OF VALUE THAT IS TO BE INCLUDED IN THE NUMERATOR OF THIS STATE'S PROPERTY FACTOR IS DETERMINED BY MULTIPLYING THE AVERAGE VALUE OF THE AIRCRAFT BY A FRACTION, THE NUMERATOR OF WHICH IS THE NUMBER OF LANDINGS OF THE AIRCRAFT IN THIS STATE AND THE DENOMINATOR OF WHICH IS THE TOTAL NUMBER OF LANDINGS OF THE AIRCRAFT EVERYWHERE. IF THE EXTENT OF THE USE OF ANY TRANSPORTATION PROPERTY WITHIN THIS STATE CANNOT BE DETERMINED, THEN THE PROPERTY WILL BE DEEMED TO BE USED WHOLLY WHERE THE PROPERTY HAS ITS PRINCIPAL BASE OF OPERATIONS. A MOTOR VEHICLE WILL BE DEEMED TO BE USED WHOLLY WHERE IT IS REGISTERED.~~

~~(7) (i) A LOAN IS CONSIDERED TO BE LOCATED WITHIN THIS STATE IF IT IS PROPERLY ASSIGNED TO A REGULAR PLACE OF BUSINESS OF THE BANK OR TRUST COMPANY WITHIN THIS STATE.~~

~~(H) A LOAN IS PROPERLY ASSIGNED TO THE REGULAR PLACE OF BUSINESS WITH WHICH IT HAS A PREPONDERANCE OF SUBSTANTIVE CONTACTS. A LOAN ASSIGNED BY THE BANK OR TRUST COMPANY TO A REGULAR PLACE OF BUSINESS IN ANOTHER STATE SHALL BE PRESUMED TO HAVE BEEN PROPERLY ASSIGNED IF:~~

~~1. THE BANK OR TRUST COMPANY HAS ASSIGNED, IN THE REGULAR COURSE OF ITS BUSINESS, SUCH LOAN ON ITS RECORDS TO A REGULAR PLACE OF BUSINESS CONSISTENT WITH FEDERAL OR STATE REGULATORY REQUIREMENTS;~~

~~2. SUCH ASSIGNMENT ON ITS RECORDS IS BASED UPON SUBSTANTIVE CONTACTS OF THE LOAN TO SUCH REGULAR PLACE OF BUSINESS; AND~~

~~3. THE BANK OR TRUST COMPANY USES SAID RECORDS REFLECTING ASSIGNMENT OF LOANS FOR THE FILING OF ALL STATE AND LOCAL TAX RETURNS FOR WHICH AN ASSIGNMENT OF LOANS TO A REGULAR PLACE OF BUSINESS IS REQUIRED.~~

~~(H) THE PRESUMPTION OF PROPER ASSIGNMENT OF A LOAN PROVIDED IN SUBPARAGRAPH (H) OF THIS PARAGRAPH MAY BE REBUTTED UPON A SHOWING BY THE COMPTROLLER, SUPPORTED BY A PREPONDERANCE OF THE EVIDENCE, THAT THE PREPONDERANCE OF SUBSTANTIVE CONTACTS REGARDING SUCH LOAN DID NOT OCCUR AT THE REGULAR PLACE OF BUSINESS TO WHICH IT WAS ASSIGNED ON THE BANK OR TRUST COMPANY'S RECORDS. WHEN SUCH PRESUMPTION HAS BEEN REBUTTED, THE LOAN SHALL THEN BE LOCATED WITHIN THIS STATE IF:~~

~~1. THE BANK OR TRUST COMPANY HAD A REGULAR PLACE OF BUSINESS WITHIN THIS STATE AT THE TIME THE LOAN WAS MADE; AND~~