



Sales and Use Tax on Recreational Vehicles

Information on your tax obligations if you:

- Buy an RV in Florida
- Sell an RV in Florida
- Bring an RV purchased out-of-state into Florida

What is Taxable?

Sales Tax

You must pay 6 percent sales tax on all recreational vehicles (RVs) sold and/or delivered in Florida, unless exempted by law. Most counties also impose a local discretionary sales surtax, which applies to the first \$5,000 of the sales price. Discretionary sales surtax is due on the purchase of an RV or other motor vehicle when the residence address of the purchaser (as shown on the title or registration) is in a Florida county that has a surtax. For more information, you can get a Discretionary Sales Surtax brochure and a list of surtax counties and rates (Form DR-15DSS) from our Internet site at www.myflorida.com/dor.

All taxes are due at the time of sale and are collected by RV dealers registered with the Department of Revenue, who pay the taxes to the Department. See "Who Must Register to Collect Tax?"

All sales of RVs between individuals are fully taxable, when the sale and/or delivery takes place in Florida. When the seller is not a dealer, the county tax collector collects the tax when the RV is registered or titled.

Use Tax

Use tax is a part of Florida's sales and use tax. Use tax applies to taxable goods and services that are brought into the state untaxed or taxed at a rate less than Florida's sales tax rate. Discretionary sales surtax is also due on the first \$5,000 of these purchases.

A credit is allowed for taxes paid to another state, the District of Columbia, or a U.S. territory. For example, if you purchase an RV in a state that has a sales tax rate of 4 percent, you must pay an additional 2 percent when the RV is brought into Florida. Discretionary sales surtax, if applicable, will also apply. Florida does not allow a credit for taxes paid to another country.

Generally, RVs brought into Florida within six months from the date of purchase are considered to be for use in Florida and are taxable. If **any** of the following events occur within six months of the purchase, the RV is considered to be for use in Florida even though it may have been registered or titled in another state, the District of Columbia, or a U.S. territory:

- The RV is operated "for hire."
- The RV owner accepts employment in Florida or engages in any trade, business, or occupation in Florida.
- The RV owner's children are enrolled in any Florida public school.

Exemptions

Sales Tax

If a Florida dealer sells an RV to a resident of another state and the purchaser's resident state has a sales tax of less than 6 percent, the purchaser's home state tax rate will be applied to the sale. The

purchaser must give the dealer a completed, notarized *Affidavit for Partial Exemption of Motor Vehicle Sold for Licensing in Another State* (Form DR-123) in order to be eligible for the lower tax rate.

Any person who falsely issues any certificate or written statement to any dealer or state agent, for the purpose of evading payment of sales tax, is liable for tax, interest, penalties (including a mandatory penalty of 200 percent of the tax), a fine, and other punishment as provided by law.

If a dealer sells an RV to a nonresident corporation or partnership, the partial exemption does not apply if:

- Any officer of the corporation is a resident of Florida.
- Any stockholder or partner who owns at least 10 percent of the corporation or partnership is a Florida resident.

However, if the RV is removed from Florida within 45 days after purchase and remains out of the state for a minimum of 180 days, the vehicle will qualify for the partial sales tax exemption, and discretionary sales surtax will not apply despite the residency of owners, stockholders, or partners of the purchasing entity. The purchaser should keep documentation to prove the partial exemption.

Use Tax

An RV purchased and used in another state for six months or more is generally exempt when brought into Florida, provided:

- The owner has owned it for six months or more.
- The owner has used the RV in another state or states for six continuous months or more under conditions that would make it subject to tax in another state.

Use tax does not apply to an RV that is properly registered or licensed in another state but is temporarily in Florida.

Trade-Ins

RV dealers registered with the Department may give the purchaser a credit for a trade-in. The taxable amount is the gross selling price minus the credit allowed for the trade-in.

To qualify for a credit, the following must apply:

- Only tangible personal property (not realty) can be accepted as a trade-in for RVs or any other tangible personal property.
- The sale and trade-in must occur as a single transaction and the trade-in must be taken into the dealer's inventory for resale. (A separate sale of an RV does not qualify, even if the proceeds from the sale are immediately applied against the purchase price.)

Other Fees

A new tire fee of \$1 for each new tire and a lead-acid battery fee of \$1.50 for each new battery will apply to an RV sale. The dealer must separately state the new tire fee on the invoice, but has the option of separately stating the new lead-acid battery fee. For more information, read our *Solid Waste and Motor Vehicle Fees* brochure (Form GT-800037).

Who Must Register to Collect Tax?

Florida RV dealers must register with us to collect and pay sales and use tax before doing business in Florida. You can register to collect and/or report tax through our Internet site. The site will guide you through an application interview that will help you determine your tax obligations. If you do not have Internet access, you can complete a paper *Application to Collect and/or Report Tax in Florida* (Form DR-1).

Inspections and Other Enforcement

Tax compliance is important to RV ownership because it helps pay for services that benefit all RV owners. RV dealer records are subject to inspection. Other sources of information may also be used to determine compliance.

Reference Material

Tax Laws – Our online Tax Law Library contains statutes, rules, legislative changes, opinions, court cases, and publications. Search the law library for Rule 12A-1.007, Florida Administrative Code (F.A.C.), *Aircraft, Boats, Mobile Homes, and Motor Vehicles*, and Rule 12A-1.091, F.A.C., *Use Tax*.

Brochures – Download these brochures from our “Forms and Publications” page:

- *Discretionary Sales Surtax*
- *Motor Vehicles*
- *Solid Waste and Motor Vehicle Fees*
- *Tangible Personal Property Rentals*

Online Tutorial – Visit the Taxpayer Education section of our Internet site to view a sales and use tax tutorial for motor vehicle dealers.

Contact Us

Information, forms, and tutorials are available on our Internet site:

www.myflorida.com/dor

To speak with a Department representative, call Taxpayer Services, Monday through Friday, 8 a.m. to 7 p.m., ET, at 800-352-3671.

To find a **taxpayer service center** near you, go to:

www.myflorida.com/dor/contact.html

For a written reply to tax questions, write to:

Taxpayer Services – Mail Stop 3-2000
Florida Department of Revenue
5050 W Tennessee St
Tallahassee FL 32399-0112

Subscribe to our tax publications to receive due date reminders or an e-mail when we post:

- Tax Information Publications (TIPs).
- Facts on Tax*, a quarterly publication.
- Proposed rules, notices of rule development workshops, and more.

Go to: **www.myflorida.com/dor/list/**