



## **Dealer's Motor Vehicle Inventory Tax Statement Instructions and Information**

A motor vehicle is a fully self-propelled vehicle with at least two wheels which has the primary purpose of transporting people or property (whether or not intended for use on a public street, road or highway) and includes a towable recreational vehicle. Motor vehicle does not include: 1. Vehicles with a certificate of title that has been surrendered in exchange for a salvage certificate; nor 2. equipment or machinery designed and intended for a specific work-related purpose other than transporting people or property. Motor vehicle inventory does not include fleet transactions, dealer sales or subsequent sales.

**GENERAL INSTRUCTIONS:** This inventory tax statement must be filed by a dealer of motor vehicles pursuant to Tax Code Section 23.122. This statement is filed together with an amount equal to the total amount of the unit property tax assigned to all motor vehicles sold in the preceding month. File a separate statement for each business location and retain documentation relating to the disposition of each vehicle.

**ALTERNATIVE ELECTION:** Effective Jan. 1, 2014, certain dealers of motor vehicle inventory may elect to file renditions under Tax Code Chapter 22, rather than file declarations and tax statements under Tax Code Chapter 23. Tax Code Section 23.121(a)(3) allows a dealer to make this election if it (1) does not sell motor vehicles that are self-propelled and designed to transport persons or property on a public highway; (2) meets either of the following two requirements: (a) the total annual sales from the inventory, less sales to dealers, fleet transactions, and subsequent sales, for the preceding tax year are 25% or less of the dealer's total revenue from all sources during that period, or (b) the dealer did not sell a motor vehicle to a person other than another dealer during the preceding tax year and the dealer estimates that the dealer's total annual sales from the dealer's motor vehicle inventory, less sales to dealers, fleet transactions, and subsequent sales, for the 12-month period corresponding to the current tax year will be 25% or less of the dealer's total revenue from all sources during that period; (3) files with the chief appraiser and the tax collector by Aug. 31 of the preceding tax year on a form prescribed by the Comptroller a declaration that the dealer elects not to be treated as a dealer under Tax Code Section 23.121 in the current tax year; AND (4) renders the dealer's motor vehicle inventory in the current tax year by filing a rendition with the chief appraiser in the manner provided by Tax Code Chapter 22. A dealer who makes this election must file the election annually with the chief appraiser and the tax collector by Aug. 31 of the preceding tax year, so long as the dealer meets the eligibility requirements of law.

**WHERE TO FILE:** Each statement and prepayment of taxes must be filed with the county tax assessor-collector and a copy of each statement must be filed with the chief appraiser.

**STATEMENT DEADLINES:** Except as provided by Tax Code Section 23.122(g), a statement and prepayment of taxes must be filed on or before the 10th day of each month.

**PENALTIES:** A dealer who fails to file a statement as required commits a misdemeanor offense punishable by a fine not to exceed \$100. Each day during which a dealer fails to comply is a separate violation. In addition to other penalties provided by law, a dealer who fails to file or timely file a statement must forfeit a penalty of \$500 for each month or part of a month in which a statement is not filed or timely filed after it is due. A tax lien attaches to the dealer's business personal property to secure payment of the penalty. In addition to other penalties provided by law, an owner who fails to remit unit property tax due must pay a penalty of 5 percent of the amount due. If the amount due is not paid within 10 days after the due date, the owner must pay an additional 5 percent of the amount due. Unit property taxes paid on or before Jan. 31 of the year following the date on which they are due are not delinquent.

**OTHER IMPORTANT INFORMATION:** The chief appraiser or collector may examine documents held by a dealer in the same manner and subject to the same conditions as provided by Tax Code Section 23.121(g) and 23.122(f).

### **ADDITIONAL INSTRUCTIONS**

#### **Step 1: Dealer Information**

**Step 2: Business' Name and Physical Address of Business Location.** Provide the appraisal district account number if available or attach tax bill or copy of appraisal or tax office correspondence concerning your account.

**Step 3: Vehicle Inventory Information.** Complete the information on each motor vehicle sold, including the date of sale, model year, model make, vehicle identification number, purchaser's name, type of sale, sales price and unit property tax. Continue on additional sheets if necessary. In lieu of filling out the information in this step, you may attach separate documentation setting forth the information required. All such information must be separately identified in a manner that conforms to the column headers used in the table below. See below for additional instructions and footnotes. The footnotes include:

**1 Type of Sale:** Place one of the following codes by each sale reported:

**MV – motor vehicle inventory** – sales of motor vehicles.

**FL – fleet transactions** – motor vehicles included in the sale of five or more motor vehicles from inventory to the same person within one calendar year.

**DL – dealer sales** – sales of vehicles to another Texas dealer or dealer who is legally recognized in another state as a motor vehicle dealer.

**SS – subsequent sales** – dealer-financed sales of motor vehicles that, at the time of sale, have dealer financing from your motor vehicle inventory in the same calendar year.

**2 Sales Price:** Total amount of money paid or to be paid for the purchase of a motor vehicle as set forth as "sales price" in the form entitled "Application for Texas Certificate of Title" promulgated by the Texas Department of Motor Vehicles. In a transaction that does not involve the use of that form, the term means an amount of money that is equivalent, or substantially equivalent, to the amount that would appear as "sales price" on the Application for Texas Certificate of Title if that form were involved.

**3 Unit Property Tax:** To compute, multiply the sales price by the unit property tax factor. Contact either the county tax assessor-collector or county appraisal district for the current unit property tax factor. The **unit property tax factor** is calculated by dividing the prior year's aggregate tax rate by 12. If the aggregate tax rate is expressed in dollars per \$100 of valuation, divide by \$100 and then divide by 12. It represents one-twelfth of the preceding year's aggregate tax rate at the location. For fleet, dealer and subsequent sales that are not included in the motor vehicle inventory, the unit property tax is \$0-. If no unit property tax is assigned, state the reason.

**4 Total unit property tax for reporting month:** Enter the total amount of unit property tax from the "Total for this page only" box on previous page(s). This is the total amount of unit property tax that will be submitted with the statement to the collector.