



# **Instructions for County Treasurers**

## **Sales/Use Tax and Tire Fee Collection for Motor Vehicles & Trailer Sales**

**Revised March 2009**

This guide is also available at [www.revenue.ne.gov](http://www.revenue.ne.gov)

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# INTRODUCTION

This booklet explains the responsibilities of county treasurers with respect to the collection of Nebraska and local sales and use tax and the tire fee on motor vehicles, trailers, and semitrailers. It is not designed to answer all questions, but is intended to be a source of reference for most daily transactions.

County treasurers are encouraged to contact the Nebraska Department of Revenue (Department) at any of the regional offices listed below for any questions not answered in this booklet.

Where the term “motor vehicle” is used in this guide, it includes motor vehicles, trailers, and semitrailers.

Where the term “county treasurer” is used in this guide, it includes county treasurers or designated county officials.



## FOR NEBRASKA TAX ASSISTANCE

[www.revenue.ne.gov](http://www.revenue.ne.gov)

Contact your regional office, or call **(800) 742-7474** (toll free in NE and IA), or **(402) 471-5729**.

### GRAND ISLAND

TierOne Bank Building, Suite 460  
1811 West Second Street  
Grand Island, Nebraska 68803-5469  
**Telephone (308) 385-6067**

### LINCOLN

Nebraska State Office Building  
301 Centennial Mall South  
Lincoln, Nebraska 68509-4818  
**Telephone (402) 471-5729**

### NORFOLK

304 North 5th Street, Suite “D”  
Norfolk, Nebraska 68701-4091  
**Telephone (402) 370-3333**

### NORTH PLATTE

Craft State Office Building  
200 South Silber Street  
North Platte, Nebraska 69101-4200  
**Telephone (308) 535-8250**

### OMAHA

Nebraska State Office Building  
1313 Farnam-on-the-Mall  
Omaha, Nebraska 68102-1871  
**Telephone (402) 595-2065**

### SCOTTSDLUFF

Panhandle State Office Complex  
4500 Avenue I, Box 1500  
Scottsbluff, Nebraska 69363-1500  
**Telephone (308) 632-1200**

For E-Commerce, call (800) 433-8631.

A TDD (Telecommunications Device for the Deaf) is available for deaf or hearing-impaired individuals. The dedicated access number is (800) 382-9309.

# VEHICLES SUBJECT TO TAX

The county treasurer is required to collect sales and use tax upon the registration of all motor vehicles, trailers, and semitrailers that **DO NOT** qualify for a sales and use tax exemption. The tax is collected on the sales transactions listed below: (see Neb. Rev. Stat. §§ 60-301 - 60-3, 221, the Motor Vehicle Registration Act):

1. **Motor vehicles.** All motor vehicles that require registration and are propelled by any power other than muscular power, including vehicles designed as living quarters, such as motor homes.
2. **Cabin trailers.** A cabin trailer is any trailer designed for living quarters and for being towed by a motor vehicle and not exceeding eight feet in width, 40 feet in length from front hitch to rear bumper, or 13½ feet in height.
3. **Leased motor vehicles — lessor’s option.** Lessors operating under the lessor’s option are required to pay the tax on their cost of the motor vehicle when the vehicle is first registered when **BOTH** of the two following conditions apply:
  - a. The vehicle is being leased for a period of one year or more; and
  - b. The lessor has received approval from the Department to operate under the lessor’s option and has checked Exemption Category #5 on Form 6. For additional information, please see [Sales and Use Tax Regulation 1-019.07](#).
4. **Repossessed motor vehicles.**
  - a. When a repossessed motor vehicle is sold to the original owner or any other person, the amount subject to tax is the total amount paid to the reposessor in order for the original owner or other person to obtain a **new** title to the vehicle. It includes the amount due to pay off the note (debt), and any other amounts that must be paid to the reposessor for reimbursement of the expenses incurred for repossessing the vehicle.
  - b. When motor vehicles have been repossessed and the reposessor registers it for his or her own use, the amount subject to tax is the amount of the debt forgiven and any other consideration.
5. **Homemade trailers.**
  - a. When a trailer is built and the builder registers it, the builder must produce evidence that sales tax was paid on the materials, or evidence that sales tax was not due on the purchase of the materials because the purchase qualified for the occasional sale exemption (refer to [Sales and Use Regulation 1-022, Occasional Sales](#)).

In this situation, the county treasurer should register the vehicle without collecting sales tax and write on the bottom of the Form 6: “TPV — Homemade Trailer” (TPV means “Tax Paid Vendor”).
  - b. Retailers who are not licensed motor vehicle dealers who sell unassembled trailer kits are required to collect sales tax on the total amount charged for the kit. If the trailer is assembled and registered in Nebraska, the purchaser is required to pay the tax unless the purchaser can provide proof that sales tax was paid on the purchase price of the kit. The purchaser’s receipt is probably the only documentation available. Without proof of payment of sales tax on the purchase of the kit, the county treasurer must collect the appropriate tax.

c. When the sale of a homemade trailer is between private individuals, the selling price must be indicated on the bill of sale, and must be shown on the Form 6.

**6. Vehicles purchased in another state.** Any person who purchases a motor vehicle in another “state, commonwealth, territory, possession, or country” (“other jurisdiction”) and operates the motor vehicle on its highways on an in-transit or temporary permit, or other temporary license for a limited time with intent to remove it from the other jurisdiction, is required to pay the tax at the time the vehicle is registered in this state.

Credit for tax paid to another state may be allowed. Please refer to “Credit for Tax Paid to Another State” on page 6.

**7. Trailers.** All boat trailers, utility trailers, and semitrailers drawn by vehicles require registration.

## EXCEPTIONS

The county treasurer will **NOT** collect sales and use tax on motor vehicles, trailers, and semitrailers that are not required to be registered in Nebraska, or that may not be legally operated on the streets, roads, or highways of this state. Retailers who sell any of the vehicles listed below are required to collect the applicable tax. Vehicles of this type include, but are not limited to:

1. Every vehicle designed for living quarters that is more than eight feet wide, or that is two stories or more in height when in place for use as living quarters;
2. Mini-bikes, mopeds, off-road motorcycles, all-terrain vehicles, golf carts, snowmobiles, snow plows, riding lawn mowers, garden tractors, hay wagons, fertilizer spreaders, farm tractors, farm trailers exclusively pulled by a farm tractor, and other implements of husbandry designed and used primarily for tilling the soil and harvesting crops or feeding livestock; earth-moving equipment, mobile cranes, steam rollers, street sweepers, ditch-digging apparatus, well-boring apparatus, asphalt spreaders, bucket loaders, leveling graders, power shovels, crawlers, backhoes, front-end loaders, bulldozers, non-powered mobile homes, and camper units that are designed to be placed on pickup trucks; or
3. Sales of vehicles and pickup camper units and camper shells that qualify for the occasional sale exemption.
  - Vehicles and equipment such as unlicensable dirt bikes, mini-bikes, motor scooters, golf carts, go-carts, three and four-wheel ATVs, and snowmobiles are household goods and personal effects for sales and use tax purposes, and are exempt as occasional sales and not subject to tax when sold between two individuals.
  - Pickup camper units and camper shells that are detached from the motor vehicle and sold to a person other than the purchaser of the motor vehicle qualify as occasional sales and are not subject to tax. Camper units and camper shells sold with the motor vehicle or detached and sold to the same person at approximately the same time are treated as the sale of a motor vehicle and are subject to sales and use tax.

# FORM 6 REQUIREMENTS

## REPORTING TAX DUE

Nebraska Sales/Use Tax and Tire Fee Statement for Motor Vehicle and Trailer Sales, Form 6, is a 5-part form used for reporting the sales and use tax to the county treasurer. Instructions are on the reverse side.

The licensed motor vehicle dealer must complete a Form 6 for every sale of a motor vehicle, trailer, or semitrailer. Licensed motor vehicle dealers must keep the pink copy for their records, and must mail the green copy with their monthly Nebraska and Local Sales and Use Tax Return, Form 10.

The purchaser must present the white, yellow, and blue copies of the Form 6 to the county treasurer for completion of the vehicle registration.

Sellers of trailers that have a vehicle weight of 9,000 lbs. or less do not need to be licensed motor vehicle dealers. They are not required to complete a Form 6 at the time the trailer is sold.

## SIGNATURES

All licensed motor vehicle dealers must complete and sign the Form 6 as the seller. The county treasurer may accept a Form 6 that is not signed by a private or nonresident seller, provided all other information is on the Form 6, and it is signed by the purchaser.

Purchasers claiming an exemption **MUST** sign the Form 6 on the two spaces indicated.

## 30-DAY SALES TAX REPORTING PERIOD

The purchaser of a motor vehicle in this state owes tax on the amount paid for the vehicle. The purchaser can delay the payment of the sales until the vehicle is registered or for up to 30 days if the vehicle is not registered. The purchaser will not owe penalty and interest, provided the motor vehicle is registered or the tax is paid within the 30 days from the date of purchase. A nonresident purchaser is not required to pay the tax, provided the motor vehicle is removed from this state within 30 days from the date of purchase.

# Nebraska Sales/Use Tax and Tire Fee Statement

for Motor Vehicle and Trailer Sales

PURCHASER'S NAME AND ADDRESS			SELLER'S NAME AND ADDRESS		
Name			Name		
Street or Other Address			Street or Other Address		
City	State	Zip Code	City	State	Zip Code

PURCHASED VEHICLE/TRAILER DESCRIPTION				
Make	Body Type	Year	Vehicle Identification Number (VIN)	Date of Purchase

TRADE-IN VEHICLE/TRAILER DESCRIPTION					
Make	Body Type	Year	Vehicle Identification Number (VIN)	License Plate Number	Was trade-in vehicle being leased? <input type="checkbox"/> YES <input type="checkbox"/> NO If Yes, enter 0 on line 2.

TAX COMPUTATION			
1 Total sales price .....	1	\$	
2 Less trade-in allowance .....	2		
3 Less manufacturer's rebate assigned to dealer at time of sale.....	3		
4 Tax base (line 1 minus lines 2 and 3) (if zero or less, enter 0).....	4	\$	
5 Nebraska sales or use tax (line 4 multiplied by rate) .....	5		
6 Local sales or use tax (line 4 multiplied by rate) .....	6		
7 Total Nebraska and local tax due (line 5 plus line 6) .....	7	\$	
8 Tire Fee (Number of <b>new</b> tires _____ multiplied by \$1.00) (see instructions) .....	8		
9 Penalty for late payment (see instructions) .....	9		
10 Interest for late payment (see instructions).....	10		
11 BALANCE DUE (total of lines 7, 8, 9, and 10).....	11	\$	

Under penalties of law, I declare that I have examined this statement and it is correct and complete.

**sign  
here** ▶

Signature of Seller

Signature of Purchaser or Agent of Purchaser

Date

### Nebraska Resale or Exempt Sale Certificate for Motor Vehicle and Trailer Sales

• If exempt category 1 through 7 is claimed, requested information must be entered. Only categories 5 and 12 are exempt from the tire fee.

Type of Exemption	Type of Exemption
<input type="checkbox"/> 1 Purchase by an <b>exempt organization</b> holding a Certificate of Exemption issued by the Nebraska Department of Revenue. Number 05-_____	<input type="checkbox"/> 7 Purchase by a disabled person with funds contributed by the U.S. Department of Veterans Affairs or the Nebraska Department of Health and Human Services Finance and Support. Enter amount of contribution: \$ _____. See instructions for "Purchase of a Motor Vehicle by a Disabled Person."
<input type="checkbox"/> 2 Vehicle will be used in a <b>common or contract carriage capacity</b> and the purchaser shown on the face of this form holds a current Certificate of Exemption issued by the Nebraska Department of Revenue. Number 05-_____	<input type="checkbox"/> 8 Purchase by a governmental entity not engaged in the business of furnishing gas, water, electricity, or heat.
<input type="checkbox"/> 3 Purchase by a lessor of motor vehicles. Sales tax on the fair market lease payments to be remitted under Nebraska Sales Tax Permit. Lessor's Sales Tax Number 01-_____	<input type="checkbox"/> 9 Vehicle is the subject of an intercompany sale between parent, subsidiary, or brother-sister companies. Sales tax was paid by the seller company on its purchase of this vehicle. (Documentation required).
<input type="checkbox"/> 4 Purchase under the Lessor's Option and the motor vehicle will be leased to a common or contract carrier who holds a valid Nebraska Certificate of Exemption Number 05-_____. <b>Lessor must attach a copy of approved Nebraska Application for Election of Lessors to Pay Sales and Use Tax on Cost of Motor Vehicles, Form 15.</b>	<input type="checkbox"/> 10 Vehicle is a gift or received by inheritance. A gift is a voluntary transfer without any consideration. The donor paid the tax on the previous transfer. If the person accepting the motor vehicle or trailer as a gift or inheritance assumes a lien, mortgage, or encumbrance, the amount owing shall be subject to sales and use tax. (Documentation required).
<input type="checkbox"/> 5 Purchase by a native American Indian residing on a Nebraska reservation and the vehicle is registered at a location within the boundaries of the reservation. Tax Exemption ID Card Number: _____	<input type="checkbox"/> 11 Transfer of the vehicle during the creation, reorganization, or dissolution of a corporation, limited liability company, or partnership solely for voting stock membership interest or partnership interest. Also, transfer of a vehicle as additional capital to an ongoing corporation. (Documentation required).
<input type="checkbox"/> 6 Vehicle was purchased, licensed, and operated in a state other than Nebraska. Identify state: _____ (Documentation required).	<input type="checkbox"/> 12 Purchase of a 30-day plate by a nonresident of Nebraska who does not intend to remain in Nebraska more than 30 days from the date of purchase.

Any purchaser, or the agent thereof, who completes this exemption certificate for any purchase which is not exempt under the Nebraska Revenue Act, as amended, shall in addition to any tax, interest, or penalty otherwise imposed, be subject to a penalty of \$100.00 or 10 times the tax, whichever amount is larger. Under penalties of law, I declare that I have examined this certificate and to the best of my knowledge and belief, it is correct and complete.

**sign  
here** ▶

Signature of Person Claiming Exemption

Date

#### FOR COUNTY USE ONLY

\$ \_\_\_\_\_  
Tax Paid

\_\_\_\_\_  
Date Paid

COPIES — See instructions for distribution of colored copies

# TAX COMPUTATION

The “Tax Computation” portion of Form 6 must be completed to reflect the following:

- retail selling price of the motor vehicle;
- trade-in allowance, if any;
- manufacturer’s rebate assigned to the dealer, if any; and
- tax base on which the sales and use tax will be computed.

The following items are part of the retail selling price and **MUST** be included in the tax base:

- ✓ buyers fees;
- ✓ charges for warranty transfers;
- ✓ destination charges;
- ✓ document processing charges;
- ✓ emissions tests;
- ✓ federal “gas guzzler” tax;
- ✓ import custom fees;
- ✓ manufacturer’s excise tax ;
- ✓ service and maintenance agreements; and
- ✓ surcharges.

The following items are not part of the retail selling price and **are not** included in the tax base:

- title and lien fees paid by a dealership to public officials on behalf of its customers;
- federal heavy vehicle excise tax; and
- federal retail excise tax.

## MANUFACTURER’S REBATE

Rebates received from a motor vehicle manufacturer that are assigned to the motor vehicle dealer and used to reduce the selling price of the vehicle at the time of purchase are allowable deductions from the retail selling price when computing the tax base on which the tax is calculated. This also applies to rebates earned through the use of a credit card and manufacturer rebates assigned to dealers on vehicles purchased outside Nebraska.

## DEALER DISCOUNT

Dealer discounts or dealer cash discounts are allowable deductions from the retail selling price when computing the tax base on which the tax is calculated. The dealer’s discount must appear on the dealer’s invoice.

## TRADE-IN

- **Individuals.** When a motor vehicle is traded between individuals, the **ONLY** valid trade-in allowance that may be used as a deduction when computing the tax base is that given for another motor vehicle.
- **Motor Vehicle Dealers.** Motor vehicle dealers may use items normally sold in the regular course of the dealer’s business as a trade-in allowance.

When the motor vehicle used as a trade-in was previously leased, was not registered, or if the owner of the newly purchased vehicle is a different owner from the previous owner of the trade-in, contact the Department.

Trade-in allowances are NOT permitted on leased vehicles that are not owned by the lessee.

No refund of tax will be made if the tax base is a negative amount.

## **BARGAIN SALES**

The following can be used to determine the amount subject to tax when a vehicle is transferred as a “bargain sale”:

- a. cash settlement amount;
- b. loan value;
- c. value of stock or securities received; or
- d. blue book value.

## **CREDIT FOR TAX PAID TO ANOTHER STATE**

If a motor vehicle, including an inoperable motor vehicle, is purchased in another state **and** sales tax was properly paid to the other state **and** the other state has reciprocity with Nebraska, the total sales tax paid in that state is credited toward the state and local sales tax due in Nebraska. No refund will be made if the tax paid to the other state is greater than the total Nebraska and local option sales tax. The credit for tax paid to another state must be written below line 11 on Form 6 and deducted from the amount due as calculated on line 11. Write the words “credit for tax paid to the state of (identify state).”

**Example:** Some states, such as Florida, require nonresidents to pay Florida sales tax in the amount of sales tax that would have been imposed if the Nebraska resident would have purchased and registered the vehicle in Nebraska. The amount of tax collected by Florida is limited to 6 percent. Therefore, a Nebraska resident who pays the 6 percent Florida tax but registers the vehicle in a city that has a combined state and city rate of 7 percent owes city sales tax at the 1.5 percent rate.

Only two states, Nevada and Arkansas, do not have reciprocity with Nebraska. No credit is allowed against the tax due in Nebraska for sales tax paid in either of these states.

## **LOCAL SALES AND USE TAX**

The registration address shown on the vehicle registration certificate issued by the county determines whether or not the county treasurer is required to collect the local sales and use tax on a vehicle being registered in this state. If there is any question regarding the proper registration address, the situs of the vehicle is determined pursuant to the laws administered by the Nebraska Department of Motor Vehicles. The term “situs” is defined in Neb. Rev. Stat. §60-130. Situs means the tax district where a vehicle is stored or kept for the greater part of the calendar year.

## **ANNEXATIONS AND CITY SALES AND USE TAX**

For local option sales and use tax purposes, the Department recommends that you verify the effective date of the rate change because the effective date, as stated in the ordinance, may be for the provision of city services, and not be the effective date for the city sales and use tax rate change. The territory affected is annexed to or detached from the city on the first day of a calendar quarter. The effective date as stated

in the ordinance may be for the provision of city services and not the effective date for the rate change. Therefore, the Department recommends that you verify the actual effective date of a local option sales and use tax rate change, by checking our Web site at <http://www.revenue.ne.gov/boundary.html>. You can also verify the sales tax rate by using the sales tax rate finder at <http://salestaxrates.ne.gov/nedor/>.

## **DATE OF SALE OR PURCHASE**

The date on the title usually determines the rate of local option sales tax that is due on a motor vehicle. If the date of possession and the date on the title are different, then the **EARLIER** of the two is the date of sale. The purchase date on the Form 6 must reflect the date of sale.

## **GAP INSURANCE**

The sale of a **gap insurance policy** (a debt cancellation insurance policy purchased through the auto dealer) is not subject to Nebraska sales or use tax, provided the charge for such policy is separately stated from any taxable amount.

## **STATUTE OF LIMITATIONS**

There is a five-year statute of limitations for state and local option sales tax. When registering a motor vehicle that was purchased more than five years and 30 days before the registration date, no sales tax, interest, or penalty is due.

## **AMENDED STATEMENT - FORM 6XN**

If additional sales and use tax or tire fee is due, an Amended Nebraska Sales/Use Tax and Tire Fee Statement for Motor Vehicle and Trailer Sales, Form 6XN, must be filed.

**Note:** A Form 6XN is required **ONLY** when a Form 6 has been previously filed and sent to the Department by the county treasurer.

If it is determined that additional tax or tire fee is due **BEFORE** the Form 6 has been filed and sent to the Department, the county treasurer may make the adjustment on the original Form 6.

A Form 6XN is not valid for claiming a sales tax refund.



**AMENDED NEBRASKA SALES/USE TAX AND TIRE FEE STATEMENT**  
for Motor Vehicle and Trailer Sales

**FORM  
6XN**

Purchaser's Name and Address				Seller's Name and Address			
Name				Name			
Address				Address			
City		State		City		State	
Zip Code		Zip Code		Zip Code		Zip Code	
Vehicle Make		Model Year	Body Type		Vehicle Identification Number (VIN)		
Purchase Date		County in Which Original Form 6 Was Filed			Date Original Form 6 Was Filed		

		Amended (A)	Original (B)	Difference (C)
1 Total Sale Price .....	1	\$	\$	
2 Trade-in Allowance .....	2			
3 Less Manufacturer's Rebate .....	3			
4 Sales Tax Base .....	4			\$
5 State Sales/Use Tax .....	5			
6 Local Sales/Use Tax .....	6			
7 Number of Tires _____ x \$1.00 .....	7			
8 Total Tax and Tire Fee .....	8	\$	\$	\$
9 Interest .....	9			\$
10 Penalty .....	10			
11 Total .....	11			\$

Under penalties of law, I declare that I have examined this statement and, to the best of my knowledge and belief, it is correct and complete.

**sign  
here**

Signature of Purchaser \_\_\_\_\_

Date \_\_\_\_\_

**INSTRUCTIONS**

**WHO MAY FILE.** Any person wanting to change their original Nebraska Sales/Use Tax and Tire Fee Statement for Motor Vehicle and Trailer Sales, Form 6, may file this form. Form 6XN is to be completed **only if additional sales and use tax or tire fee is due.** Reference should be made to the original Form 6 in completing Form 6XN.

If you need information about requesting a **refund** of sales and use tax or tire fee, contact the Nebraska Department of Revenue at (800) 742-7474 (toll free in NE and IA) or (402) 471-5729.

**WHEN AND WHERE TO FILE.** Form 6XN may be filed at any time **after** you have filed your original Form 6. This amended form, properly signed and accompanied by remittance, is to be filed with the county treasurer in the county where the original form was filed or with the Nebraska Department of Revenue.

**PENALTY AND INTEREST.** A penalty will be assessed in the amount of \$5.00 in addition to the amount of tax or fee due. Interest

will be assessed on the unpaid tax and fee due at the statutory rate from the thirtieth day after the purchase until the date of payment.

**SPECIFIC INSTRUCTIONS**

**COLUMN A.** Complete this column by entering the **corrected** figures.

**COLUMN B.** Complete this column by entering the figures as originally reported on Form 6.

**COLUMN C.** Complete this column by entering the difference between the corrected figures and the original figures. For each line, subtract Column B from Column A.

**LINE 8, COLUMN C** is the additional tax and fee due. Interest will be computed by the county treasurer or the Department of Revenue. The total tax, tire fee, interest, and penalty must be remitted to the county treasurer or to the Department of Revenue.

DEPARTMENT OF REVENUE — White Copy    COUNTY TREASURER — Canary Copy    TAXPAYER — Pink Copy

6-163-1975 Rev. 11-2008 Supersedes 6-163-1975 Rev. 12-2007

## REFUNDS

If the county treasurer has remitted the tax or tire fee to the Department, then the refund claim (Claim for Overpayment of Sales and Use Tax, Form 7) must be filed with the Department.

If the county treasurer has not remitted the tax or tire fee to the Department, the county treasurer will make the refund.

## INTEREST AND PENALTY

The county treasurer shall assess and collect interest and penalty on all motor vehicles that are registered late. Interest is computed from 30 days after the purchase date through the date of payment reflected in the chart below.

Period	Interest Rate
1-1-2009 and after	5%
1-1-2007 through 12-31-2008	8%
1-1-2003 through 12-31-2006	6%
1-1-1995 through 12-31-2002	9%
1-1-1993 through 12-31-1994	7%
Through 12-31-1992	14%

In certain situations, interest may have to be calculated using two different rates.

**Example:** A motor vehicle is purchased on November 15, 2008 and registered January 15, 2009. The owner paid \$28,500 for the motor vehicle. The motor vehicle was registered in a city that has a 7 percent sales and use tax rate. The vehicle should have been registered and the tax amount of \$1,995.00 should have been paid by December 15, 2008. However, the vehicle is not registered until January 15, 2009. Interest must be assessed at eight percent for 16 days (December 16, 2008 through December 31, 2008) and at five percent for 15 days (January 1, 2009 through January 15, 2009).

Interest owed is calculated in the following manner:

(Tax owed ) x (number of days late) x (daily interest rate) = interest due

$\$1,995 \times 16 \times .00021918 = \$ 6.99$

$\$1,995 \times 15 \times .00013698 = \$ 4.10$

Interest due                       
\$11.09

A penalty in the amount of \$5 must be assessed on all unpaid amounts due if the motor vehicle is registered late. An Application for Abatement of Penalty, Form 21, may be filed with the Department by the purchaser to request abatement of the penalty.

The sales tax and all interest and penalty amounts collected by the county treasurer must be reported on lines 1 through 5 of the County Treasurer's Nebraska and Local Sales and Use Tax Return, Form 9. The tire fee amounts collected must be reported on the Nebraska Tire Fee Return, Form 9B.

## INTEREST AND PENALTY – EXCEPTIONS

No interest and penalty is due when the Nebraska and applicable local sales tax is paid within 30 days of the date of purchase. In addition, no interest and penalty is due when:

- ✓ The only amount due is the tire fee;
- ✓ The vehicle is transferred by gift (no tax due);
- ✓ A lessee registers the vehicle claiming exemption under category #3 on Form 6;

- ✓ No sales or use tax is due because another exemption has been claimed on Form 6; or
- ✓ The 30th day falls on a Saturday, Sunday, or an approved holiday and the motor vehicle is registered on the next succeeding day that is not a Saturday, Sunday, or an approved holiday.

## EXEMPTIONS

Each county treasurer is responsible for collecting the proper amount of sales and use tax. In those situations where an exemption is claimed, the person claiming the exemption must sign the front of the Form 6. If the person claiming the exemption does not sign the Form 6, the exemption must be disallowed and the person must pay the proper sales tax. Persons claiming an exemption that is questionable should be cautioned about the penalty clause when signing the Form 6 exemption certificate. Persons who are not sure if they qualify should be referred to the Department. The following types of exemptions may be claimed on the Form 6:

1. **Exempt Organization.** An organization holding a valid Nebraska sales and use tax certificate of exemption is exempt from sales and use tax on the purchase of a motor vehicle. The title to the motor vehicle must be in the name of the exempt organization.
2. **Common or Contract Carriers.** A common or contract carrier holding a valid certificate of exemption issued by the Department is exempt from sales and use tax only on vehicles predominantly used to haul persons or property for hire. The carrier's valid exemption number must be indicated on the Form 6. Please refer to the Nebraska Sales and Use Tax Information Guide titled "Nebraska Common and Contract Carriers" for additional information (see [Reg-1-069](#)).

The fact that a person may have been granted a certificate of public convenience and necessity, or a permit by either the Federal Highway Administration or the Nebraska Public Service Commission, does not qualify such person as a common or contract carrier for purposes of the Nebraska sales and use tax exemption.

Passenger cars, station wagons, pickups, recreational vehicles, and other business vehicles do not usually qualify for a common or contract carrier exemption. County treasurers are advised to collect the tax at the time of registration of such vehicles even though the carrier has been issued an exemption number except:

- a. when prior approval is given by the Department in specific cases; or
- b. for registration of passenger vehicles by a taxi company.

The tax paid by a common or contract carrier will be refunded when the carrier files a claim for a refund and establishes to the satisfaction of the Department that the vehicle in question was predominantly used to haul persons or property for hire.

3. **Lease.** The purchase of a motor vehicle by a lessor for lease or rental is not subject to sales and use tax at the time of registration, provided the motor vehicle is not being registered under the lessor's option. The lessor's sales tax permit number used to report lease receipts must be indicated on the Form 6. Please refer to the Nebraska Sales and Use Tax Information Guide titled "[Nebraska and Local Sales Tax on Leased Motor Vehicles](#)" for additional information.
4. **Lessor's Option Exemption.** A motor vehicle purchased by a lessor who has been approved by the Department to operate under the provisions of the lessor's option is exempt from tax provided the motor vehicle is leased to a common or contract carrier who holds a valid Common or Contract Carrier Certificate of Exemption. The lessor must provide a copy of their approved [Nebraska](#)

[Application for Election of Lessors to Pay Sales and Use Tax on Cost of Motor Vehicles, Form 15](#), and the common or contract carrier's exemption number.

- 5. Purchase by a Native American Indian Residing on a Reservation in Nebraska.** The sale of a motor vehicle to a Native American Indian residing on a reservation in Nebraska is exempt from sales and use tax, provided the vehicle is registered within the boundaries of an Indian reservation in Nebraska. A valid state tax exemption card number must be indicated on the sales invoice and on the Form 6.

When a Native American Indian and a non-Indian hold title to a motor vehicle as joint tenants, and the motor vehicle is registered at an address on a reservation in Nebraska, sales and use tax is due on the dollar value of the non-Indian's share of the vehicle (see Revenue Ruling 1-76-27).

- 6. Purchased and Licensed Outside Nebraska.** No sales tax is due on motor vehicles coming into Nebraska that have been licensed for operation on the highways of another state, including motor vehicles properly registered in a state that does not impose a sales tax that are subsequently brought into Nebraska. **"State"** shall mean any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, and any foreign country or political subdivision thereof.

This exemption does not apply to motor vehicles operated on an in-transit or temporary permit, or other temporary license in another state as defined above. Please refer to number 6 in the "Vehicles Subject To Tax" section.

- 7. Disabled Person.** The entire purchase price of a motor vehicle is exempted from tax when the Veterans' Administration of the United States or the Nebraska Department of Health and Human Services contributes to the purchase through the issuance of a grant or an award, the maximum amount allowed by law. If less than the maximum amount allowed is contributed, only the contributed amount is exempted. Payment for the vehicle may be made by the Department of Health and Human Services or the Veterans' Administration to either the dealer or the purchaser.

If there is a question as to whether the purchaser received the maximum amount allowed, the county treasurer should review Form 21-4502, "Application for Automobile or Other Conveyance and Adaptive Equipment" issued by the Veterans' Administration, or the award letter issued by the Nebraska Department of Health and Human Services.

Any amount contributed by these agencies is not considered a disability payment. A motor vehicle purchased with disability compensation is not exempt from tax.

- 8. Mobility Enhancing Equipment on a Motor Vehicle.** Any disabled or handicapped person who is required to use durable medical equipment, orthotics, or prosthetics for locomotion may purchase mobility enhancing equipment adapted for a motor vehicle exempt from tax. The purchaser must issue to the motor vehicle dealer or seller a Nebraska Certificate of Exemption for Mobility Enhancing Equipment on a Motor Vehicle, Form 13ME, and a copy of the prescription issued by a Nebraska-licensed physician.

The white copy of the completed Form 13ME and a copy of the prescription must be attached to the Form 6. The sales price of the vehicle on the Form 6 should match the amount on line 3 of Form 13ME.

Mobility enhancing equipment that is purchased with a motor vehicle is also exempt from sales and use tax if purchased to meet the needs of a dependent. Mobility enhancing equipment purchased by nursing homes and other organizations is not exempt unless the entire vehicle can be purchased exempt.



# Nebraska Certificate of Exemption for Mobility Enhancing Equipment on a Motor Vehicle

FORM  
**13ME**

• Read instructions

### PART A — Completed by Purchaser of the Motor Vehicle

NAME AND ADDRESS OF PURCHASER			NAME AND ADDRESS OF MOTOR VEHICLE DEALER/SELLER		
Name			Name		
Street or Other Mailing Address			Street or Other Mailing Address		
City	State	Zip Code	City	State	Zip Code

The purchaser of the motor vehicle with installed mobility enhancing equipment must provide the following information if the prescription for the mobility enhancing equipment was issued for a dependent.

Name of Dependent \_\_\_\_\_

Relationship \_\_\_\_\_

I certify that the mobility enhancing equipment described in Part B is for my use or for the use of a dependent of mine and is exempt from Nebraska sales and use tax because the mobility enhancing equipment is installed on the motor vehicle pursuant to a prescription issued by a Nebraska licensed physician. **A copy of the prescription must be attached to this certificate.**

#### SIGNATURE OF PURCHASER

Any purchaser who completes this certificate for any purchase which is not exempt from sales and use tax under Section 77-2704.09, of the Nebraska Revenue Act, as amended, shall in addition to any tax, interest and penalty otherwise imposed, be subject to a penalty of \$100 or ten times the tax, whichever amount is larger for each instance of presentation and misuse. I declare that I am authorized to sign this certificate, and to the best of my knowledge and belief, it is correct and complete.

**sign here** ▶

Signature of Purchaser \_\_\_\_\_

Title \_\_\_\_\_

Date Issued \_\_\_\_\_

( )  
Telephone Number \_\_\_\_\_

### PART B — Completed by Motor Vehicle Dealer or Seller

**1** Total sales price of motor vehicle including mobility enhancing equipment ..... **1** \$

#### PURCHASED VEHICLE DESCRIPTION

Make	Body Type	Year	Vehicle Identification Number (VIN)

Description of Mobility Enhancing Equipment	Value of Equipment

**2** Total value of mobility enhancing equipment ..... **2** \$

**3** Total sales price of motor vehicle (line 1 minus line 2). This amount must be entered on line 1 of Form 6. .... **3** \$

#### SIGNATURE OF SELLER

Under penalties of law, I declare that I have examined this certificate of exemption and it is correct and complete.

**sign here** ▶

Signature of Seller \_\_\_\_\_

Date \_\_\_\_\_

( )  
Telephone Number \_\_\_\_\_

NEBRASKA DEPARTMENT OF REVENUE – White Copy

SELLER – Pink Copy

PURCHASER – Yellow Copy

6-380-1999 Rev. 12-2007 Supersedes 6-380-1999 Rev. 12-2006

**9. Governmental Entity.** Purchases by any county, township, city, village, or rural or suburban fire protection district located in Nebraska are exempt from sales or use tax, **EXCEPT** the purchase of a motor vehicle that will be used by any Department or portion of the governmental unit that sells gas, electricity, water, or heat. An exemption number is not required to be indicated on the Form 6, since sales and use tax exemption numbers are not assigned to such entities (refer to the [Governmental Entities Information Guide](#)).

**10. Intercompany Sale.** The transfer of a motor vehicle which is the subject of an intercompany sale from a subsidiary to the parent company, from a parent company to a subsidiary, from one subsidiary to another subsidiary of the same parent company, or between brother-sister companies is not subject to tax under the occasional sale provision, **PROVIDED** the vehicle was either originally acquired prior to June 1, 1967, or, if acquired thereafter, the seller directly or indirectly paid the sales or use tax on such vehicle.

This occasional provision also applies to corporations that have at least 50 percent common ownership, and the other entities that would be considered a parent, subsidiary, or brother-sister if they were corporations.

The transfer must be between two companies. This exemption does not include a transfer to or from individuals such as a brother or sister.

**11. Gift.** A motor vehicle which is received by a new owner (donee) as a gift is not subject to sales and use tax, provided the person giving it away (donor) paid the tax on the original purchase price. If the person registering the vehicle does not present evidence that the donor has previously paid the applicable tax, then tax is due on the transfer of that vehicle as a condition of registration. The tax is based on the original purchase price of the vehicle, but if the donee cannot provide evidence of the original purchase price, the tax is based on the actual value of the vehicle. Evidence of previously paid tax may include a tax-paid receipt or proof of prior registration by the donor. An exception occurs when the donor is exempt from sales tax. In such case, neither the donor nor the donee is required to pay sales or use tax.

The transfer of a vehicle into a trust, revocable or irrevocable, is a gift and tax is not due, **PROVIDED** the donor has previously paid the tax.

To qualify as a gift, the transfer of ownership must be unconditional and not involve consideration between the buyer and seller. Consideration is not limited to money. Listed below are some transactions that **DO NOT** qualify as a gift:

**a.** The transfer of a vehicle that results in the forgiveness of a monetary debt such as a lien, debt, mortgage, or other encumbrance previously assumed by the donor, cannot qualify as a tax-free gift.

**Example:** A father pays off a \$5,000 credit card debt owed by his son in exchange for title to the vehicle. When the father registers the vehicle, the sales price, and amount subject to tax, is the payoff amount of the credit card debt. In this example, the father will pay tax on the sales price of \$5,000.

**b.** The transfer of a vehicle as payment for services rendered cannot qualify as a tax-free gift.

**Example:** As payment for painting his house, the owner of the house transfers his vehicle to the painter. The sales price, and the amount subject to tax, is the amount normally charged by the painter in the regular course of business to paint a house of similar size. If the painter registers the vehicle, he or she owes tax on the amount normally charged to paint a house of similar size.

**Note:** The transfer of a vehicle into or out of a corporation or partnership cannot qualify as a tax-free gift even if there is not a corresponding change in the structure of the corporation or partnership. All transfers into or out of a corporation or partnership that are claimed as a gift should be referred to the Department before processing.

**12. Occasional Sale.** The transfer of a motor vehicle can only qualify as an occasional sale when the transferor has previously paid the tax and the motor vehicle is being transferred:

- a. From one corporation to another corporation pursuant to a reorganization. “Reorganization” shall mean a statutory merger or consolidation or the acquisition by a corporation of substantially all of the properties of another corporation when the only consideration is the voting stock of the acquiring corporation or the voting stock of its parent or subsidiary corporation;
- b. In connection with the winding up, dissolution, or liquidation of a corporation, only when there is a distribution of the property of such corporation to the shareholders in kind if the portion of the property distributed to the shareholders is substantially in proportion to the share of stock or securities held by the shareholders;
- c. To a corporation for the purpose of organization of such corporation or the contribution of additional capital to such corporation when the former owner of the motor vehicle is, immediately after the transfer, in control of the corporation, and the stock or securities received are substantially in proportion to their interest in the property prior to the transfer.

The term “in control of the corporation,” means that the individual or entity transferring the motor vehicle into the corporation has 51 percent or more ownership of all the stock of the corporation after the transfer of the vehicle into the corporation. An individual cannot transfer a motor vehicle **from** an ongoing corporation, even if they are in control of the corporation, unless the transaction falls under section i;

- d. To a partnership, in the organization of the partnership, if the former owners of the motor vehicle are immediately after the transfer, members of the partnership, and the interest in the partnership received by each member is substantially in proportion to the interest in the partnership held by the members prior to the transfer;
- e. From a partnership to its members, when made in-kind in the dissolution of the partnership, if the portion of the property distributed to the members is substantially in proportion to the interest in the partnership held by the members;
- f. To a limited liability company, (LLC) in the organization of the LLC, if the former owners of the property transferred are, immediately after the transfer, members of the LLC and the interest in the LLC received by each is substantially in proportion to his or her interest in the property prior to the transfer;
- g. From a LLC to its members, when made in-kind in the dissolution of the LLC, if the portion of the property distributed to the members is substantially in proportion to his or her interest in the LLC;
- h. From one LLC to another LLC pursuant to a reorganization; or
- i. A transaction that qualifies as a tax-free transaction under the Internal Revenue Code of 1986, as amended. You **must contact** the Department on each of these transactions **prior to accepting the exemption.**

**Examples:** Transfers of motor vehicles into or out of ongoing partnerships do not qualify as occasional sales. When corporations are involved, only transfers of motor vehicles out of ongoing corporations do not qualify as occasional sales.

Transfers into or out of ongoing partnerships as part of a favorable insurance rate may not qualify as occasional sales and may be subject to sales tax. The same is true of transfers out of ongoing corporations.

Transfers from a corporation or partnership to an individual such as a stockholder, officer, employee, or partner reflecting a sale for a nominal fee or as a gift will normally be subject to sales tax. Such transfers are usually referred to as “bargain sales” and should be questioned.

The occasional sale exclusion for motor vehicles only applies when the transfer of a motor vehicle falls within paragraph 12.

13. **30-Day Plate.** The purchase of a 30-day plate by a nonresident of Nebraska may result in the collection of Nebraska sales and use tax. The county treasurer must ask the nonresident purchaser if their intention is to remain in Nebraska more than 30 days from the date of purchase of the motor vehicle. If the reply is “YES,” Nebraska sales and use tax must be collected. If the reply is “NO,” the 30-day plate may be purchased without payment of the Nebraska sales and use tax.

## OTHER INFORMATION

### CHANGE OF NAME AND ADDRESS ON THE TITLE AND REGISTRATION

Simply changing a name or address on the title and registration is not an actual change in ownership and is **not** a taxable transfer.

**Examples:**

- Change of name (e.g., Mary Smith to Mary Jones);
- Death of spouse (e.g., John and Mary Smith WROS to Mary Smith);
- Divorce (e.g., John and Mary Smith to Mary Smith);

Also, the transfer of a motor vehicle from a corporation or partnership to an individual through a property settlement in a divorce decree is exempt from sales tax.

- Marriage (e.g., John Smith to John and Mary Smith); or
- Sole proprietorship to business or trade name, or business or trade name to sole proprietorship (e.g., John Smith to John’s Repair Shop, or John’s Repair shop to John Smith).

The following types of transfers may be subject to tax (therefore, a Form 6 must be completed for payment of sales tax or the reporting of the proper exemption):

- Adding or dropping one or more names on the title (e.g., dropping a parent’s name by the son or daughter); or
- Changing the form of the entity from a corporation or partnership to a sole proprietorship.

## DRIVER EDUCATION MOTOR VEHICLES

The sale of motor vehicles to secondary schools or school districts for driver education programs conducted by the school or school district are exempt from tax. The name and address of the school or school district must appear on the Form 6 as the purchaser. Exemption Category 1 must be marked indicating the school's or school district's exemption number.

## INSURANCE ON WRECKED VEHICLES

When an insurance payment is received for a wrecked vehicle and later applied to the subsequent purchase of a new vehicle, two separate transactions have occurred. The first transaction occurred when the payment was received from the insurance company for the wrecked vehicle, and title passed to the insurance company. The second transaction occurred when the money received from the insurance company for the wrecked vehicle was used as payment for or partial payment on a new vehicle. No property was traded to the dealer for resale and no trade-in allowance resulted, therefore, the tax base for the new vehicle is not reduced.

Sales tax will not be refunded on the sales price of the wrecked vehicle.

**Example:** Tom purchases a new car from a dealer. One week later, he is in an accident and the new vehicle is totaled. No sales tax refund is due.

Tax is due on the transfer of the vehicle from the dealer to Tom. The fact that the vehicle was subsequently wrecked does not change the tax status.

The amount of sales tax may be included in the amount of the claim filed with the insurance company.

## SALVAGE BRANDED CERTIFICATE – OWNER RETAINS SALVAGE VEHICLE

Neb. Rev. Stat. § 60-173129 allows the owner of a salvage vehicle to elect to retain the salvage vehicle. If the owner retains the salvage vehicle, the certificate of title is not assigned to the insurance company. The insurance company is required to notify the Department of Motor Vehicles (DMV) when the owner elects to retain ownership of the salvage vehicle by filing DMV Form titled "[Notice of Owner - Retained Salvage](#)" or a form designed by the insurance company. The insurance company is also required to notify the owner of the salvage vehicle. The owner is required within 30 days after the settlement loss to forward to DMV the properly endorsed certificate title. The county clerk, upon receipt of the certificate of title, will issue to the owner a salvage branded certificate of title for the vehicle.

**Sales and Use Tax Consequences.** When the owner of a vehicle elects to retain the salvage vehicle and the certificate of title is not transferred to the insurance company, the salvage branded certificate of title can be issued without a sales tax liability being incurred by the owner of the vehicle regardless of the amount of the total loss settlement payment.

## VEHICLES SOLD FOR PARTS

The taxability of vehicles sold for parts is determined by whether or not the vehicle was transferred with a title or without a title.

- 1. Transferred with a title.** This transaction is taxable and is treated in the same manner as any other taxable transfer of a motor vehicle.

2. **Transferred without a title.** Since the vehicle is transferred without a title, it has lost its identity as a motor vehicle. Therefore the transaction is not taxable because:
  - a. the sale qualifies as an occasional sale (refer to Regulation 1-022.06); or
  - b. the sale is made to a salvage yard, or other retailer of vehicle parts, for resale purposes.

## **ELECTRIC POWERED MOTOR VEHICLE**

Every person registering a motor vehicle designed or modified to be only propelled by electricity, solar power, or any other source of energy not otherwise taxed under the motor fuel laws is required to obtain an annual alternative fuel user permit.

County treasurers need to forward a copy of the registration certificate for these motor vehicles to the Department's Motor Fuel Tax Enforcement and Collection Division, P.O. Box 98904, Lincoln, Nebraska 68509-8904, or via fax at (402) 471-5607 (see [www.revenue.ne.gov/fuels/index.htm](http://www.revenue.ne.gov/fuels/index.htm) for additional information).

## **MOTOR VEHICLE DEALERS**

A motor vehicle dealer registering a vehicle has a sales and use tax obligation, regardless of the intended use of the vehicle. The dealer must complete a Nebraska Sales/Use Tax and Tire Fee Statement for Motor Vehicle and Trailer Sales, Form 6, and pay the sales and use tax at the time the vehicle is first registered. The dealer registering a vehicle cannot claim an exemption from the tax, unless the vehicle will be used as a leased vehicle.

## **FORMS 9 AND 9B**

A Nebraska and Local Sales and Use Tax Return, Form 9, and the Nebraska Tire Fee Return, Form 9B, are mailed to each county treasurer and must be completed and returned to the Department on or before the 15th day of the month following the close of the reporting period. The return must be filed by the prescribed due date even if there was no sales and use tax or tire fee collected for the period covered by the returns.

If a preidentified Form 9 and Form 9B are not received for a reporting period, duplicate returns should be requested from the Department.

The Department will assess a penalty for failure to file the returns and pay the tax, interest, penalty, or fee by the due date. Beginning January 1, 2009, interest will be assessed at the rate of five percent per year on delinquent payment of taxes.

The white copy of the Nebraska Sales/Use Tax and Tire Fee Statement for Motor Vehicle and Trailer Sales, Form 6, and the pink and goldenrod copies of the Amended Nebraska Sales/Use Tax and Tire Fee Statement for Motor Vehicle and Trailer Sales, Form 6XN, should accompany the return, if convenient, or may be mailed under separate cover. County treasurers must retain their copy of each Form 6 and 6XN by month of receipt for a minimum of three years. County treasurers are not required to validate Form 6 to support proof of tax paid by the registrant. Registrants should be informed of their need to keep their portion of the registration that shows the payment of tax for a period of five years. Neither the county treasurer's office nor the Department can provide proof of sales tax paid after December 31.



**Nebraska and Local Sales and Use Tax Return**  
**for County Treasurers and Other Officials**  
 • Read instructions on reverse side

**FORM**  
**9**

PLEASE DO NOT WRITE IN THIS SPACE

Nebraska Identification Number      Reporting Period  
 03-

If your payment is being made by Electronic Funds Transfer, check here.

COUNTY NAME AND MAILING ADDRESS

1 Nebraska sales and use tax collected during this reporting period .....	1	\$	
• Complete Nebraska Schedule below if local sales and use tax has been collected			
2 Total local sales and use tax collected (line 11, Nebraska Schedule).....	2		
3 Total Nebraska and local sales and use tax collected (line 1 plus line 2) .....	3		
4 Total amount of penalties collected on late registered motor vehicles during this reporting period..	4		
5 Total amount of interest collected on late registered motor vehicles during this reporting period.....	5		
6 Total amount collected (total of lines 3, 4, and 5).....	6		
7 Collection fee (line 6 multiplied by .025; if the result is \$75.00 or more, enter \$75.00) .....	7		
8 Total amount due (line 6 minus line 7) .....	8		
9 Previous balance due or credit (read instructions).....	9		

10 BALANCE DUE (line 8 plus or minus line 9). Pay in full with return.....	10	\$	
--	----	----	--

Under penalties of law, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is correct and complete.

**sign here**

Authorized Signature

Title

Date

**NEBRASKA SCHEDULE— Local Sales and Use Tax Collected**

	Local Taxing Jurisdiction	County Code	City Code	Local Sales and Use Tax
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

11 Local sales and use tax collected (total of lines 1 through 10). Enter here and on line 2 above .....	11	\$	
--	----	----	--

**THIS RETURN IS DUE ON OR BEFORE THE 15TH DAY OF THE MONTH FOLLOWING THE REPORTING PERIOD INDICATED ABOVE.**

**Mail this return and payment to: NEBRASKA DEPARTMENT OF REVENUE, P.O. BOX 98923, LINCOLN, NE 68509-8923**  
**www.revenue.ne.gov, (800) 742-7474 (toll free in NE & IA), (402) 471-5729**

6-030-1967 Rev. 11-2008 Supersedes 6-030-1967 Rev. 1-2008



# Nebraska Tire Fee Return

for County Treasurers and Other Officials

FORM  
**9B**

Nebraska Identification Number

Reporting Period

PLEASE DO NOT WRITE IN THIS SPACE

COUNTY NAME AND MAILING ADDRESS

1 Nebraska tire fee collected during this reporting period.....	1	\$		00
2 Previous balance due or credit (read instructions).....	2			

3 BALANCE DUE (line 1 plus or minus line 2). Pay in full with return.....	3	\$		
---	---	----	--	--

Under penalties of law, I declare that I have examined this return, and to the best of my knowledge and belief, it is correct and complete.

**sign  
here**

Authorized Signature

Title

Date

## INSTRUCTIONS

**WHO MUST FILE.** Every county treasurer or designated county official, or the Department of Motor Vehicles is required to file the Nebraska Tire Fee Return, Form 9B, each month. The return must be filed by the prescribed due date, even though there may be no tire fees collected for the period covered by the return.

**WHEN AND WHERE TO FILE.** This return, properly signed and accompanied by a check or money order payable to the Nebraska Department of Revenue, is considered timely filed if postmarked on or before the 15th day of the month following the tax period covered by the return.

**Mail the return and payment to the Nebraska Department of Revenue, P.O. Box 94818, Lincoln, Nebraska 68509-4818.**

**PREIDENTIFIED RETURN.** This return is to be used by the official whose name is printed on it. If a preidentified return is not received for a reporting period, a duplicate return should be requested from the Department. Do not file returns which are photocopies, returns for another tax period, or returns which have not been preidentified. If the mailing address is incorrect, mark through the incorrect address and plainly print the correct address.

THIS RETURN IS DUE ON OR BEFORE THE 15TH DAY OF THE MONTH FOLLOWING THE REPORTING PERIOD INDICATED ABOVE.

Mail this return and payment to: NEBRASKA DEPARTMENT OF REVENUE, P.O. BOX 94818, LINCOLN, NE 68509-4818

For more information, [www.revenue.ne.gov](http://www.revenue.ne.gov) or call (800) 742-7474 (toll free in NE and IA) or call (402) 471-5729.

1-101-1990 Rev. 10-2008 Supersedes 1-101-1990 Rev. 10-2007

## INSUFFICIENT FUNDS CHECK

If a county has been issued a check for payment of Nebraska sales and use tax and the check is returned to the county unpaid, the county can only deduct the previously reported Nebraska sales and use tax on line 9 from a subsequent payment to the state provided the following conditions are met:

- The amount of sales and use tax has been previously reported by the county treasurer on their Nebraska and Local Sales and Use Tax Return, Form 9;
- The county, through the county attorney, has exhausted all means available to collect the debt;
- The returned check is attached to the Form 9 on which the deduction is taken; and
- The statement of the collection activities taken by the county has been attached to the return.

## CONFIDENTIALITY

Sales and use tax information retained by the office of the county treasurer is confidential in nature and may be released only to the taxpayer, a duly authorized representative, or the taxpayer's successors, receivers, trustees, executors, administrators, assignees, or guarantors. The person receiving a copy of the Form 6 or requesting information on the Form 6 must have signed the Form 6 or been appointed by the taxpayer to receive such information. In addition, a copy of the Form 6 or information on the Form 6 may be given to the seller of the motor vehicle if the seller has signed the Form 6.

## FORM 6 ORDERING

The Nebraska Sales/Use Tax and Tire Fee Statement for Motor Vehicle and Trailer Sales, Form 6, and Nebraska Sales and Use Tax Statement for Motorboat Sales, Form 6MB are available in any quantity by submitting a request to the Department. You can order Form 6 and Form 6MB by clicking on the following address (<http://www.revenue.ne.gov/mail/ndrmail.phtml>) and completing the requested information.

 <b>REVENUE</b>	<b>REQUISITION FOR</b>	
	<b>Nebraska Sales/Use Tax and Tire Fee Statement for Motor Vehicle and Trailer Sales, Form 6, and Nebraska Sales and Use Tax Statement for Motorboat Sales, Form 6MB</b>	
<b>NUMBER OF FORMS NEEDED</b>		
<b>Form 6</b>		<b>Form 6MB</b>
<input type="text"/>		<input type="text"/>
<b>NAME AND MAILING ADDRESS</b>		
<input type="text"/> Name		
<input type="text"/> Street or Other Mailing Address		
<input type="text"/> City	<input type="text"/> State	<input type="text"/> Zip Code
<b>ORDER ONLY A MONTH'S SUPPLY IN ADVANCE</b>		
<small>6-023-1967 Rev. 3-2008 Supersedes 6-023-1967 Rev. 8-2007</small>		

# Tire Fee

Revised August, 2007

For more information,  
check our Web site



This information guide provides an overview of the Nebraska tire fee program. It is not designed to answer all questions which might arise, but is intended to enable a person to become familiar with the main provisions of this program.

## Overview

The Nebraska Tire Fee of one dollar is due on the following tires:

- ✓ Retail sales of qualified tires;
- ✓ Every tire included with a new vehicle; and
- ✓ Every new tire a motor vehicle dealer places on a previously owned vehicle.

## Definitions

**Qualified tire.** Any new tire, including take-off tires, made of rubber or other resilient material, including pneumatic and solid tires, that could be used on any motor vehicle, motorcycle, trailer, semitrailer or farm tractor.

A qualified tire **does not** include new tires sold specifically for use on vehicles designed for off-road use such as, farm discs, golf carts, and all-terrain vehicles; or any recapped or regrooved tire, regardless of intended use. Tires on **farm tractors**, however, **are** subject to the fee.

**Qualified vehicle.** Any motor vehicle that requires registration in Nebraska to be legally operated and is propelled by any power other than muscular power. Examples are: cars, trucks, truck tractors, motor homes, and motorcycles.

Any trailer or semitrailer that is designed to carry persons or property and is drawn by a motor vehicle. Examples are: camping trailers, boat trailers, and utility trailers.

## Collection and Remittance of the Fee

**Retailers.** Persons making retail sales of qualified tires must collect the fee. They must first submit a Nebraska Tax Application, Form 20, to obtain a Nebraska Tire Fee Permit. Unlike sales tax, only ONE permit is required, regardless of the number of business locations under the same ownership. All permitholders are required to file a Nebraska Tire Fee Return, Form 93. The return is filed on a monthly, quarterly, or annual basis. The filing frequency is determined by the number of tires sold. A return will be mailed to all permitholders for each tax period for which a return is required.

- More than \$3,000 — returns are filed monthly;
- \$900 to \$3,000 — returns are filed quarterly; and
- Less than \$900 — returns are filed annually.

The tire fee is not included in the price of the tire for calculating sales tax, however, as illustrated:

\$49.95	Sales price of tire
2.75	Nebraska sales tax at 5.5%
.50	City sales tax in a city with a rate of 1%
1.00	Nebraska tire fee
<b>\$54.20</b>	<b>Total amount due</b>

**County treasurers.** The county treasurer or designated county official collects the fee at the time of registration of a qualified vehicle. For motor vehicles, the fee is due upon registration in Nebraska, regardless of the location of the sale. The county treasurer or designated county official remits the fee on the Nebraska Tire Fee Return, Form 9B.

**Motor vehicle dealers** must indicate the total number of qualified tires on new qualified vehicles and previously owned vehicles, including the spare, on the Nebraska Sales/Use Tax and Tire Fee Statement for Motor Vehicle and Trailer Sales, Form 6. A new qualified vehicle is one which still has the manufacturer's statement of origin (MSO).

When a sale of a qualified vehicle occurs between two individuals, the seller pays the fee on any new tire placed on the car. The fee is not collected upon registration.

**Examples.** A car dealer sells a new car. When completing the Form 6, the dealer must indicate 5 tires (4 tires plus the spare). The county treasurer or designated county official collects the \$5.00 tire fee when the new car is registered. The entry on the tire fee line of the Form 6 would be:

TAX COMPUTATION			
1	Total sale price	1	\$
2	Less trade-in allowance	2	
3	Less mfg's rebate assigned to dealer	3	
4	Tax base (line 1 minus line 2 and line 3)	4	\$
5	State sales or use tax (line 4 times rate)	5	
6	City sales or use tax (line 4 times rate)	6	
7	Total state and city tax (line 5 plus line 6)	7	\$
8	Number of new tires <u>5</u> x \$1.00	8	5 00
9	Penalty	9	
10	Interest	10	
			\$
11	Balance Due (total of lines 7, 8, 9, and 10)	11	

A car dealer sells a used car after he places 2 new tires on it. The tire fee has not been paid on the new tires because the car dealer purchased the tires for resale. When completing the Form 6, the dealer must indicate 2 tires. The county treasurer or designated county official collects the \$2.00 tire fee when the car is registered. The entry on the tire fee line of the Form 6 would be:

TAX COMPUTATION			
1	Total sale price	1	\$
2	Less trade-in allowance	2	
3	Less mfg's rebate assigned to dealer	3	
4	Tax base (line 1 minus line 2 and line 3)	4	\$
5	State sales or use tax (line 4 times rate)	5	
6	City sales or use tax (line 4 times rate)	6	
7	Total state and city tax (line 5 plus line 6)	7	\$
8	Number of new tires <u>2</u> x \$1.00	8	2 00
9	Penalty	9	
10	Interest	10	
			\$
11	Balance Due (total of lines 7, 8, 9, and 10)	11	

An individual places 2 new tires on a car and then sells the car. The number of tires indicated on Form 6 is zero. The individual

paid the tire fee when the tires were purchased from a retailer. The entry on the tire fee line of the Form 6 would be:

TAX COMPUTATION			
1	Total sale price	1	\$
2	Less trade-in allowance	2	
3	Less mfg's rebate assigned to dealer	3	
4	Tax base (line 1 minus line 2 and line 3)	4	\$
5	State sales or use tax (line 4 times rate)	5	
6	City sales or use tax (line 4 times rate)	6	
7	Total state and city tax (line 5 plus line 6)	7	\$
8	Number of new tires <u>0</u> x \$1.00	8	0 00
9	Penalty	9	
10	Interest	10	
			\$
11	Balance Due (total of lines 7, 8, 9, and 10)	11	

The Nebraska Department of Administrative Services purchases 4 new motor vehicle tires. As an agency of the State of Nebraska, the transaction is exempt from sales tax, but the tire fee is due. A sample invoice would be:

ABC Tire Co. Invoice No. 0000	
Sold to: Nebraska DAS Lincoln, NE 68509	
4 tires @ 49.95	\$199.80
Sales tax	.00
Tire fee-4 tires @ \$1.00	4.00
Total due	\$203.80

### Exemptions

Unlike the sales and use tax programs which allow exemptions to many entities, exemptions under the tire fee are limited to qualified tires which are:

- Sold for resale purposes. The purchaser must issue a properly completed Nebraska Resale or Exempt Sale Certificate, Form 13;
- Sold and delivered to another state;
- Sold to the federal government and its agencies; and
- Sold to Native American Reservation Indians who qualify for the sales and use tax exemption.