



# Instructions

## General information

This form is to be used by a purchaser of a motor vehicle, all-terrain vehicle, trailer, vessel, or snowmobile (*qualifying vehicle* or *vesse*) to report the sales and use tax due on a purchase for which the purchaser wants to claim a credit for sales tax paid to another state.

A New York State resident who purchases a qualifying vehicle or vessel outside the state becomes liable for New York State and local sales and use tax if the qualifying vehicle or vessel is brought into the state. However, a credit against the New York tax due may be available if **all** of the following apply:

- The buyer was required to pay tax to another state on the purchase;
- that state provides a reciprocal tax credit that is similar to the tax credit for New York State; and
- the buyer is not entitled to a refund of that tax from the other state.

If all these conditions are met, then the buyer may be granted a credit against the use tax due to New York State for the tax paid (or a portion of the tax paid) to the other state.

**Note:** Before completing this form, refer to the charts below to determine if New York State provides a reciprocal credit for sales tax paid to the state where you made your purchase. **For motor vehicles, New York State provides a reciprocal credit for tax paid to a very limited number of states.** If no reciprocal credit is available, use Form DTF-802, *Statement of Transaction - Sale or Gift of Motor Vehicle, Trailer, All-Terrain Vehicle (ATV), Vessel (Boat), or Snowmobile*, instead of this form. If you paid tax to a state for which no New York State reciprocal credit is allowed you should apply to that state for a refund. If the state denies the refund you may be eligible for a credit for some or all of the New York tax you must pay now. To apply, file Form AU-11, *Application for Credit or Refund of Sales or Use Tax*, and attach proof of tax payment to and proof of the refund denial by the other state.

## Specific instructions

- Enter the owner information. Complete all entries, including the owner's social security number (SSN) or employer identification number (EIN).

- Enter the name and address of the person or dealership from whom the qualifying vehicle or vessel was purchased.
- Enter the qualifying vehicle or vessel identification information.
- Enter the date of purchase and the purchase price. *Purchase price* includes any monetary consideration, the value of any property exchanged or traded (other than a trade-in allowance granted by a dealer), and any assumption of a debt or liability of the seller. Also enter the date the vehicle entered New York State.
- Enter the name of the state to which the sales tax was paid.

**Line 1** — Enter the amount subject to New York State sales tax. This amount is either the purchase price entered above or, if the vehicle was used outside New York State for more than six months before it was brought into the state, the fair market value, whichever is lower. Fair market value is generally determined from values established by private companies.

**Line 2** — The applicable local rate of tax on the purchase or use of a qualifying vehicle or vessel is the rate of tax for the locality in which the purchaser is a resident. If the purchaser is a resident of more than one locality within the state, the applicable local tax rate is the rate of tax for that locality where the purchaser is a resident and the qualifying vehicle or vessel is principally used or garaged. Please refer to Publication 718, *New York State Sales and Use Tax Rates by Jurisdiction*, for a listing of current combined state and local tax rates.

**Line 5** — Enter the tax rate eligible for credit. Use the charts below to determine the correct rate of tax eligible for credit for the state where you made the purchase, based on the type of vehicle you purchased. The maximum rate eligible for credit cannot be higher than the rate of tax imposed within your jurisdiction of residence (see line 2 on the front). If you made your purchase in a state listed under *Special rules* in the charts below, be sure to calculate the allowable credit exactly as explained.

Any excess reciprocal credit cannot be refunded or used to offset any other sales or use tax liabilities. For more information regarding reciprocal credits, please see Publication 39, *A Guide to New York State Reciprocal Credits for Sales Taxes Paid to Other States*.

Motor vehicles					
Full rate eligible for credit	No New York State credit currently allowed*				Special rules
Arizona California Florida Hawaii Massachusetts Michigan South Carolina Wyoming	Alabama Alaska Arkansas Colorado Connecticut Delaware District of Columbia Georgia Idaho Illinois	Iowa Kansas Kentucky Louisiana Maine Missouri Minnesota Mississippi Montana Nebraska	New Hampshire Nevada New Jersey New Mexico North Carolina North Dakota Ohio Oklahoma Oregon Pennsylvania	Rhode Island South Dakota Tennessee Texas Utah Vermont Virginia Washington West Virginia Wisconsin	Maryland — Credit is allowed only against the 4% <b>state</b> portion of the New York State tax for the Maryland excise tax on motor vehicles. Enter on line 5 the lesser of the 4% New York State rate or the Maryland rate.  Indiana — Credit is allowed only against the 4% <b>state</b> portion of the New York State tax for tax paid to Indiana. Enter on line 5 the lesser of the 4% New York State rate or the Indiana rate.

All-terrain vehicles (ATVs), snowmobiles, vessels, and trailers					
Full rate eligible for credit					No New York State credit currently allowed*
Alabama Arkansas Arizona California Colorado Connecticut District of Columbia	Florida Hawaii Idaho Illinois Kansas Louisiana Maryland	Massachusetts Michigan Missouri Nebraska Nevada New Jersey New Mexico	North Dakota Ohio Pennsylvania Rhode Island South Carolina South Dakota Tennessee	Texas Utah Vermont Virginia Washington West Virginia Wyoming	Alaska Delaware Maine Montana New Hampshire Oregon

Special rules	
For more information, see Publication 39, <i>A Guide to New York State Reciprocal Credits for Sales Taxes Paid to Other States</i> .	
Georgia North Carolina Oklahoma Wisconsin	Credit against the 4% <b>state</b> portion of the New York State tax is allowed for the <b>state</b> portion of the tax paid to these states. Also, credit is allowed against the <b>local</b> portion of the New York State tax for the <b>local</b> portion of the tax paid to these states. However, no credit is allowed against the state portion of the New York State tax for the local portion of the tax paid. No credit is allowed against the local portion of the New York State tax for the state portion of the tax paid.
Indiana Iowa Kentucky Minnesota	Credit is allowed only against the 4% <b>state</b> portion of the New York tax for the <b>state</b> portion of the tax paid to these states. Enter on line 5 the lesser of the New York State rate or the applicable state rate.
Mississippi	Credit against the <b>state and local</b> New York tax is allowed only for the <b>state</b> portion of the tax paid to Mississippi. No credit is allowed against New York's <b>local</b> taxes for any <b>local</b> tax paid to Mississippi. Enter on line 5 the Mississippi state tax rate only.

\*You may be eligible for a refund of the taxes paid to the other state (see *Note*: above).

**Privacy notification** — The Commissioner of Taxation and Finance may collect and maintain personal information pursuant to the New York State Tax Law, including but not limited to, sections 171, 171-a, 287, 308, 429, 475, 505, 697, 1096, 1142, and 1415 of that Law; and may require disclosure of social security numbers pursuant to 42 USC 405(c)(2)(C)(i).

This information will be used to determine and administer tax liabilities and, when authorized by law, for certain tax offset and exchange of tax information programs as well as for any other lawful purpose.

Information concerning quarterly wages paid to employees is provided to certain state agencies for purposes of fraud prevention, support enforcement, evaluation of the effectiveness of certain employment and training programs and other purposes authorized by law.

Failure to provide the required information may subject you to civil or criminal penalties, or both, under the Tax Law.

This information is maintained by the Director of Records Management and Data Entry, NYS Tax Department, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829. From areas outside the United States and outside Canada, call (518) 485-6800.