



## Instructions for Filing Local Government User of Diesel Fuel Tax Return

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R. 01/12

Rule 12B-5.150  
Florida Administrative Code  
Effective 01/12

### General Instructions

**Who Must File?** Licensed local government users must use this form monthly to report acquisitions, inventory, and use of gasoline, undyed diesel, dyed diesel, and biodiesel fuel. This form is also used to report credits of tax-paid gasoline, undyed diesel, and biodiesel fuel used on the highway, and to pay tax for the use of dyed diesel on the highway as defined under section (s.) 206.87(1) (a), (b), (c), and (d), Florida Statutes (F.S.).

Counties or municipalities that use fuel for both highway use as a mass transit system provider and as a local government user must have separate licenses for each function and file separate returns. Fuel used by a Mass transit system provider must be reported on the *Mass Transit System Provider Fuel Tax Return*. Fuel for county and municipal highway use must be filed on the *Local Government User of Fuel Tax Return*.

A county or municipality that uses fuel for highway use may report that activity and school district activity on the same return if the FEIN for the county or municipality and school district are the same. If the school district has a different FEIN, the school district must file a separate return.

**Return Due Date:** Your payment (if applicable), returns, and schedules are due to the Department on the 1st day of the month following the collection period. Your return is late if the return and payment are received or postmarked after the 20th day of the month following the collection period. If the 20th is a Saturday, Sunday, state holiday, or federal holiday, your return and payment must be received or postmarked on the next business day, even if no tax is due.

**Late Returns:** If your return and payment are late, a delinquent penalty of 10 percent of any tax due will be added for each month, or fraction thereof, the return is late. A maximum delinquent penalty, not to exceed 50 percent of tax due, will be assessed but under no circumstance will the penalty be less than \$10. A floating rate of interest applies to underpayments and late payments of tax. We update the rate January 1 and July 1 of each year by using the formula established in s. 213.235, F.S. To obtain interest rates:

- Visit the Department's Internet site at: [www.myflorida.com/dor](http://www.myflorida.com/dor)
- Call Taxpayer Services, Monday - Friday, 8:00 a.m. to 7:00 p.m., ET, at 800-352-3671. Persons with hearing or speech impairments may call our TDD at 800-367-8331 or 850-922-1115.

**Electronic Filing:** File your *Local Government User of Fuel Tax Return* by using our on-line application. You may enroll to file electronically on our Internet site at [www.myflorida.com/dor](http://www.myflorida.com/dor).

**Supplemental Returns:** If you must correct a previously filed fuel tax return or supporting schedule information, please contact the Returns Reconciliation Section at 800-352-3671 to obtain specific supplemental return instructions and blank forms.

**Note:** A supplemental return is any data reported to the Florida Department of Revenue that adjusts or corrects an original return. The values listed within a supplemental return must reflect the difference between the original and any previously filed supplemental return(s) and the corrected return. Corrections to understated gallons or additional transactions not included on the original return shall be reported as positive values. Erroneously reported gallons or overstated transactions included on the original return shall be reported as negative values.

#### Reporting of Biodiesel Product Types

**Biodiesel (B100):** Biodiesel manufacturers must be licensed and file returns as wholesalers. Any person importing untaxed biodiesel must be licensed as an importer. Biodiesel and products labeled or marketed as biodiesel, including products known as "B100," that have not been blended with petroleum diesel, are included in the definition of diesel. These products are taxable at the diesel fuel rate when produced in or imported into this state in the same manner as petroleum diesel. Report unblended biodiesel as **Product Type B00**. Report tax paid fuel on Schedule 1A, and carry the total gallons to Part II, Line 2, Column D, F, or H. Report tax unpaid fuel on Schedule 2A, and carry the total gallons to Page 4, Part II, Line 2, Column E, G, or I.

**Dyed Biodiesel (B100):** Biodiesel dyed to the specifications of s. 206.8741, F.S., is exempt from diesel fuel tax. Report dyed biodiesel as **Product Type D00**. Report tax unpaid fuel on Schedule 2A, and carry the total gallons to Page 4, Part II, Line 2, Column E, G, or I.

**Biodiesel Blends:** Undyed biodiesel blended with petroleum diesel is referred to as B20, B10, B5, B2, etc., depending on the percentage of biodiesel product in the blend. Report all biodiesel blends as undyed diesel fuel (**Product Type 167**). Report tax paid fuel on Schedule 1A, and carry the total gallons to Page 4, Part II, Line 2, Column D, F, and H. Report tax unpaid fuel on Schedule 2A, and carry the total gallons to Page 4, Part II, Line 2, Column E, G, or I.

**Dyed Biodiesel Blends:** Dyed biodiesel blends are biodiesel blended with dyed petroleum diesel. Biodiesel blends are referred to as D20, D10, D05, D02, etc., depending on the percentage of biodiesel product in the blend. Dyed biodiesel blends must be dyed to the specifications of s. 206.8741, F.S., to be exempt from diesel fuel tax. Report dyed biodiesel blends as **Product Type 227**. Report tax unpaid fuel on Schedule 2A, and carry the total gallons to Page 4, Part II, Line 2, Column E, G, or I.

**Ethanol Blends:** Ethanol blends are taxable products resulting from a blend of gasoline and ethanol to create a fuel grade ethanol. Fuel grade ethanol is defined as ethanol blended with at least 1.97 percent gasoline by volume to render the product unsuitable for human consumption. Report tax paid fuel on Schedule 1A, and carry the total gallons to Page 4, Part 1, Line 2, Column A, B, or C.

**Note: Motor Fuel tax is due on all gallons of fuel grade ethanol.**

**Gasohol (124)** – “Gasohol” means and includes what is commonly known and sold as ethanol blended fuel which contains not more than 91 percent gasoline by volume and not less than 9 percent ethanol by volume. Gasohol is a reportable product liable for the motor fuel tax administered under Part I, Chapter 206, F.S. Report gasohol as **Product Type 124**, and include it on your tax return on Page 4, Part I, Line 2, Column A, B, or C.

## Line-by-Line Instructions

**Do not make entries in shaded areas.**

*When reporting less than .50 gallons, round down to the nearest whole gallon, if .50 or more, round up to the nearest whole gallon.*

Counties, municipalities, and school districts must report information in the appropriate columns in Part I and Part II of the return.

### Part I - Gasoline

**Line 1: Beginning physical inventory** – The amounts entered on Line 1 should agree with the ending physical inventory amounts from Line 5 of your previous month’s return.

**Line 2: Receipts** – Report the total gallons of gasoline and gasohol from the Mass Transit and Local Government User - Schedule of Receipts on Line 2, Column A, B, or C of your return based on your filing entity type. You may only report gallons of gasoline and gasohol received during the reporting period.

**Line 3: Disbursements** – Report the total gallons of gasoline and gasohol from the Mass Transit and Local Government User - Schedule of Disbursements on Line 3, Column A, B, or C of your return based on your filing entity type. You may only report gallons of gasoline and gasohol disbursed during the reporting period.

**Line 3a. Off-highway use** – Report gallons of fuel used for “off-road” purposes. These gallons do not qualify for a refund.

**Line 3b. Sales to other local government users** – Report gallons of fuel you held in storage and resold to another county or municipality. These gallons do not qualify for refund.

**Line 3c. On-highway use** – Report gallons of fuel used in motor vehicles operated by the municipality, county, or school district, which qualify for refund.

**Line 4: Gain or loss** – Enter the number of gallons of gasoline and gasohol gained or lost in storage due to changes in temperature, etc. on Line 4, Column A, B, and C of your return based on your filing entity type. Do not report gallons lost as a result of theft.

**Line 5: Ending physical inventory** – Enter the actual physical inventory as of the end of the last day of the collection period. Line 5 should equal Line 1 plus Line 2 minus Lines 3a, 3b, and 3c plus or minus Line 4.

**Line 6A: Gallons entitled to credit** – Enter the total of Line 3c minus any gain reported on Line 4.

**Line 6B: Credit Rate**

**Line 7: Gasoline credit** – Multiply Line 6A, Column A, B, and C by the credit rate (Line 6B) printed on the form and enter the results in Columns A, B, and C.

**Line 8: Total gasoline credit** – Add Line 7, Columns A, B, and C.

### Part II - Diesel

**Line 1: Beginning physical inventory** – The amounts entered on Line 1 should agree with the ending physical inventory amounts reported on Line 5 of your previous month’s return.

- Report gallons of undyed diesel fuel in inventory in Columns D, F, and H based on your filing entity type.
- Report gallons of dyed diesel fuel in inventory in Columns E, G, and I based on your filing entity type.
- **Note:** See biodiesel and biodiesel blends.

**Line 2: Receipts** – Report the total gallons of diesel from the Mass Transit and Local Government User - Schedule of Receipts on Line 2, Column D, E, F, G, H, and I of your return based on your filing entity type. You may only report gallons of undyed or dyed diesel received during the reporting period.

**Line 3: Disbursements** – Report the total gallons of diesel from the Mass Transit and Local Government User - Schedule of Disbursements on Line 3, Column D, E, F, G, H, and I of your return based on your filing entity type. You may only report gallons of undyed or dyed diesel disbursed during the reporting period.

**Line 3a. Off-highway use** – Report gallons of fuel used for “off-road” purposes. These gallons qualify for refund on this form.

**Line 3b. Sales to other local government users** – Report gallons of fuel you held in storage and resold to another county or municipality. These gallons do not qualify for refund.

**Line 3c. On-highway use** – Report gallons of fuel used in motor vehicles operated by the municipality, county, or school district, which qualify for refund.

- Report gallons of tax-paid undyed diesel fuel in Column D, F, and H. These gallons qualify for a refund.
- Report gallons of untaxed dyed diesel fuel in Column E, G, and I. These gallons are subject to tax.

**Line 4: Gain or loss** – Enter the number of gallons of undyed or dyed diesel gained or lost in storage due to changes in temperature, etc. on Line 4, Columns D, E, F, G, H, and I based on the filing entity type. Do not report gallons lost as a result of theft.

**Line 5: Ending physical inventory** – Enter the actual physical inventory as of the end of the last day of the collection period. Line 5 should equal Line 1 plus Line 2 minus Line 3a, 3b, and 3c plus or minus Line 4.

- Report gallons of undyed diesel fuel in Columns D, F, and H based on your filing entity type.
- Report gallons of dyed diesel fuel in Columns E, G, and I based on your filing entity type.
- **Note:** See biodiesel and biodiesel blends.

**Line 6: Taxable gallons** – Enter the total gallons of dyed diesel fuel from Part II, Line 3c, Columns E, G, and I.

**Line 7: Diesel fuel tax due** – Multiply Line 6A, Column E, G, and I by the tax rate (Line 6B) printed on the form and enter the results in Columns E, G, and I.

**Line 8: Diesel fuel credit (Off-highway use)** – Multiply Line 3a, Columns D, F, and H by the credit rate printed on the form and enter the results in Columns D, F, and H.

**Line 9: Diesel fuel credit (On-highway use)** – Subtract any gain reported on Line 4 from Line 3c for Columns D, F, and H. Multiply the results by the credit rate printed on the form and enter the credit in Columns D, F, and H.

**Line 10: Total diesel fuel credit** – Add Line 8 to Line 9, Columns D, F, and H and enter the results.

**Line 11: Total diesel fuel tax due** – Enter the sum of Columns E, G, and I from Part II, Line 7.

**Line 12a: Part II diesel fuel tax credit** – Enter the sum of Columns D, F, and H from Part II, Line 10.

**Line 12b: Part I gasoline fuel tax credit** – Enter the amount from Part I, Line 8.

**Line 13: Combined credits** – Enter the sum of Line 12a plus Line 12b.

**Line 14: Net tax due** – Subtract Line 13 from Line 11.

**Note:** If Line 13 exceeds Line 11, enter the difference in brackets on Line 14.

**If your return and payment are submitted on time, you may skip to Line 17. If your return or payment is filed after the 20th day of the month, you must compute and pay penalty and/or interest.**

**Line 15: Penalty** – If your return or payment is late, enter 10% of the amount due from Line 14 for each full or partial month the return is late. The maximum penalty is 50% and the minimum is \$10.

**Line 16: Interest** – If your tax payment is late, compute interest as indicated in the General Instructions under Late Returns and enter the result.

**Line 17: Total due with return** – If Line 11 is greater than Line 13; enter the result of Line 11 minus Line 13 plus Lines 15 and 16 on Line 17. This is the amount of tax, penalty, and interest you owe with your return.

**Line 18: Amount to be refunded** – If Line 13 is greater than Line 11, enter the result of Line 13 minus Line 11 on Line 18. This is the amount we will refund to you after we process your tax return.

We will pay interest on refunds if your complete application for refund (return) is not processed within 90 days of receipt. A complete application for refund (return) must contain documentation verifying your claim. We will compute interest beginning on the 91st day based on a statutory floating interest rate that may not exceed 11 percent. The rates are updated January 1st and July 1st of each year.

## Schedule Instructions

We will reduce your refund if you do not provide completed schedule(s) of receipts for all gasoline, gasohol, and diesel transactions. You must file a separate schedule for each type of fuel received or sold. If you need additional copies of schedules, you may make as many copies as you need to provide the required information. You must submit required schedule information in the same format as the schedules provided.

### Schedule of Receipts (Pages 5 and 6)

The following schedule types provide detail in support of the amounts shown as receipts on your return. Use this schedule to report receipts of gasoline, gasohol, and diesel on a transaction-by-transaction basis. You must fill out Columns 1 through 5 for each receipt before your return is considered complete.

If you submit a fuel management report for the detail required on the Schedule of Receipts, it must include a summary total entry for each supplier you acquire product from. The fuel management report must be in the same format and provide the same information as the schedules provided.

#### Schedule Type/Product Type

Complete a separate schedule type for each product type you report. Enter one of the following receipt schedule types with the appropriate product type.

- 1A. Gallons Received** – Florida Tax Paid (Gasoline or undyed diesel including undyed biodiesel)
- 2A. Gallons Received** – Tax Unpaid (Dyed Diesel and any untaxed biodiesel)

#### Name of Local Government User, FEIN, and Collection Period Ending

Enter the appropriate information on each schedule page for the reporting local government user shown on the front of the tax return.

### Column Instructions

**Column (1): Name of Supplier** – Enter the name of the supplier that sold you the product.

**Column (2): Supplier's FEIN/DEPN** – Enter the FEIN/DEPN of the supplier that sold you the product.

**Column (3): Date Received** – Enter the date you received the product.

**Column (4): Invoice Number** – Enter the invoice or other document number issued by the supplier.

**Column (5): Gallons Received** – Enter the net amount of whole gallons received.

### Schedule of Disbursements (Pages 7 and 8)

The following schedule types provide detail in support of the amounts shown as disbursements to other local government users on your return. Use this schedule to report disbursements of gasoline, gasohol, and diesel (including biodiesel) on a transaction-by-transaction basis. You must fill out Columns 1 through 5 for each disbursement before your return is considered complete.

#### Schedule Type/Product Type

Complete a separate schedule type for each product type you report. Enter one of the following disbursement schedule types with the appropriate product type.

- 5A. Gallons Disbursed – Tax Paid.**
- 6B. Gallons of Dyed Diesel Disbursed – Florida Tax Unpaid.**

#### Name of Local Government User, FEIN, and Collection Period Ending

Enter the appropriate information on each schedule page for the reporting local government user shown on the front of the tax return.

### Column Instructions

**Column (1): Name of Purchaser** – Enter the name of the purchaser that bought the product from you.

**Column (2): Purchaser FEIN** – Enter the FEIN of the purchaser that bought the product from you.

**Column (3): Date Sold** – Enter the date you sold the product.

**Column (4): Document Number** – Enter the invoice or other document number you issued to the purchaser.

**Column (5): Gallons Sold** – Enter the net amount of whole gallons sold.

#### Schedule Type Identifying Information

##### Schedule 5A Gallons of Undyed Diesel, Gasoline or Gasohol Delivered – All Taxes Collected

Use this schedule to report sales of undyed diesel, gasoline, gasohol, or biodiesel fuel to other counties or municipalities. Provide summary totals of gallons sold to another county or municipality.

##### Schedule 6B Gallons of Dyed Diesel Delivered – Florida Tax Unpaid

Use this schedule to report sales of dyed diesel fuel or untaxed biodiesel to other counties or municipalities. Provide summary totals of gallons sold to another county or municipality.

**YOU MUST SIGN AND DATE YOUR RETURN.**