

INSTRUCTIONS FOR WISCONSIN RENTAL VEHICLE FEE RETURN

GENERAL INSTRUCTIONS

This return is to be used by the following for reporting and paying the Wisconsin Rental Vehicle Fee:

- Establishments primarily engaged in the short term rental of vehicles without drivers for a period of 30 days or less.
- Persons providing limousine service.

THREE STEPS TO FILING YOUR RETURN

1. Enter the requested information and amounts on the Wisconsin Rental Vehicle Fee Return for the correct period covered. **Note:** Keep a copy of your completed return for your records for at least four years.
2. Check over your return.
 - Have you reported taxable receipts for each of the fees that applies to your type of business?
 - Have you checked your computation of the fee amounts owed?
3. Mail the return and your check to:
Wisconsin Department of Revenue
PO Box 8946
Madison WI 53708-8946

This return must be filed when due, even if you have no fee to report. If you cannot file your return by the due date, you may write to the department's Registration Unit (see the address in Step 3) before the due date of the return and request an extension of time to file. The department may grant you an additional month from the original due date of the return to file the return. However, if the liability is not paid by the original due date, the fee will be subject to interest at the rate of 1% per month during the extension period.

Do not take credit for previous overpayments against tax due on this return, except as explained in the instructions for line 1 and line 5. Amend the period in which the tax was over reported. See the SPECIAL INSTRUCTIONS section below for information on filing amended returns.

Any Questions? See the rental vehicle FAQs on our web site at www.revenue.wi.gov or contact any Department of Revenue office.

- Wisconsin Department of Revenue
PO Box 8949
Madison WI 53708-8949
- (608) 266-2776
- (608) 267-1030 FAX
- DORBusinessTax@revenue.wi.gov

SPECIAL INSTRUCTIONS

Wisconsin Tax Account Number: If you do not have a tax account number from the Wisconsin Department of Revenue, complete Form BTR-101 or the online business tax registration at www.revenue.wi.gov (select *Online Services*).

Ownership or Account Changes: If you have a change in name, address, or ownership or other account change, please send the information to:

Registration Unit
Wisconsin Department of Revenue
PO Box 8946
Madison WI 53708-8946

Be sure to include your Wisconsin tax account number in all correspondence.

Amended Returns: File online using My Tax Account, the department's online filing system at www.revenue.wi.gov.

If you are not required to file electronically, you may mail your amended return to the Wisconsin Department of Revenue, PO Box 8946, Madison WI 53708-8946.

INSTRUCTIONS FOR LINES 1 THROUGH 9

IMPORTANT NOTE: Use black ink when completing this return. Send in the original return only. Do not send in a photocopy.

Line 1 Enter the amount of taxable receipts* for the period covered by the return from the rental for a period of 30 days or less of the following vehicles without drivers:

- Type 1 automobiles – Motor vehicles designed and used primarily for carrying persons but which do not come within the definition of a motor bus, motorcycle, moped, or motor bicycle.
- Recreational vehicles – Vehicles that are designed to be towed upon a highway by a motor vehicle, that is equipped and used, or intended to be used, primarily for temporary or recreational human habitation, that has walls of rigid construction, and that do not exceed 45 feet in length.
- Motor homes – Motor vehicles designed to be operated upon a highway for use as a temporary or recreational dwelling and having the same internal characteristics and equipment as a mobile home.

- Camping trailers – Vehicles with a collapsible or folding structure designed for human habitation and towed upon a highway by a motor vehicle.

Caution: Do not include on Line 1 gross receipts from rentals at a location whose primary business is not the rental of vehicles for periods of 30 days or less. You may determine a location's primary business by comparing the gross receipts from each activity at a location for the previous taxable year (e.g., sales, service, rentals, etc.) to the total gross receipts at that location for the previous taxable year. The activity with the greatest percentage of gross receipts is the primary business.

Example: Company A has two locations. At one location, Company A operates a motor vehicle dealership. At the other location, Company A operates a rent-a-car business only renting Type 1 automobiles for periods of 30 days or less. The percentage of total gross receipts for the previous taxable year at the motor vehicle dealership are as follows: Sales (45%), service (35%), rentals of Type 1 automobiles for 30 days or less (10%), and rentals of vehicles for more than 30 days (10%). Since the motor vehicle dealership location's primary business is

INSTRUCTIONS FOR LINES 1 THROUGH 9 (Continued)

sales, taxable receipts from rentals of vehicles for 30 days or less at that location are not included on line 1 of Form RV-012 with taxable receipts from Company A's rent-a-car location.

Exemptions: Do not include on line 1*:

- Rentals not in Wisconsin
A rental is not in Wisconsin if the lessee takes possession of the vehicle from the lessor or the lessor's agent outside Wisconsin.
- Rerentals
Example: Company A leases an automobile from Company B for 30 days or less which it will use solely to lease to Individual C. Individual C takes possession of the automobile in Wisconsin.
The charge by Company B to Company A for the lease of the automobile is not subject to the 5% fee because it is for rerental. Company A should provide Company B with a completed exemption certificate (Form S-211) claiming the resale exemption. The charge by Company A to Individual C may be subject to the 5% Wisconsin rental vehicle fee.
- Rentals of service or repair replacement vehicles
Important: Although they may be subject to the 5% Wisconsin sales or use tax, the rental of service or repair replacement vehicles is not subject to the 5% Wisconsin rental vehicle fee.
Example: Individual A takes his automobile to Company B for repair. For a fee of \$20 per day, Company B provides Individual A with an automobile to use while his car is being repaired. Individual A picks up the automobile in Wisconsin and uses it for 5 days.
The charge by Company B to Individual A for the use of the automobile is not subject to the 5% Wisconsin rental vehicle fee. Individual A should provide Company B with a completed Certificate of Exemption for Rental Vehicle Fee (RV-207).
- Rentals to the federal government.
- Rentals to a Wisconsin governmental unit, including a Wisconsin county, city, village, town, public school, or school district.
- Rentals to nonprofit organizations that hold a Certificate of Exempt Status (CES) issued by the Wisconsin Department of Revenue.
- Rentals by any public or private elementary or secondary school exempt from Wisconsin income or franchise taxes, including school districts.

Note: Exemptions, other than those listed above, that apply for Wisconsin sales or use tax purposes, do not apply for the rental vehicle fee.

Line 2 Multiply the amount on line 1 by .05 (5%) and enter the result on line 2.

Line 5 Enter the amount of taxable receipts* for the period covered by the return from the rental of limousines with drivers if the service is provided in Wisconsin. Limousine service is considered to be provided where the customer is picked up by the limousine (i.e., where the service originates). If the customer is picked up in Wisconsin, the service originates in Wisconsin, and the charge for the limousine service is subject to the 5% limousine fee.

“Limousine” means a passenger automobile that has a capacity of 10 or fewer persons, excluding the driver, that has a minimum of 5 seats behind the driver; that is operated for hire on an hourly basis under a prearranged contract for the transportation of passengers on public roads and highways along a route under the control of the person who hires the vehicle and not over a defined route.

“Limousine” does not include taxicabs, hotel or airport shuttles or buses, buses employed solely in transporting school children or teachers, vehicles owned and operated without charge or remuneration by a business entity for its own purposes, vehicles used in car pools or van pools, public agency vehicles that are not operated as a commercial venture, vehicles operated as part of the employment transit assistance program under sec. 106.26, Wis. Stats., ambulances, or any vehicle that is used exclusively in the business of funeral directing.

Exemptions: Do not include on line 5*:

- Rentals to the federal government.
- Rentals to a Wisconsin governmental unit, including a Wisconsin county, city, village, town, public school, or school district.
- Rentals to nonprofit organizations that hold a Certificate of Exempt Status (CES) issued by the Wisconsin Department of Revenue.
- Rentals by any public or private elementary or secondary school exempt from Wisconsin income or franchise taxes, including school districts.

Line 6 Multiply the amount on line 5 by .05 (5%) and enter the result on line 6.

Line 7 Add lines 2, 4, and 6 and enter the total on line 7.

Line 8 If you do **not file** a return on time, you are subject to interest at the rate of 1.5% per month on the tax on line 7 from the due date to the date the return is filed. Include this amount on line 8.

In addition, late returns may be subject to 1) a \$20 late filing fee, and 2) a negligence penalty of 5% for each month, or portion of a month, the return is late, up to a maximum of 25%. You will be notified if an additional amount is due.

A return is considered timely filed and the fee timely paid only when all of the following conditions are met: it is mailed in a properly addressed envelope with the postage duly prepaid; the envelope is postmarked on or before the due date; and it is received by the department within 5 days of the due date.

Line 9 Add the amounts on line 7 and 8 and enter the total on line 9. This is the amount you owe. **CAUTION: DO NOT** reduce the amount due on this line by any refund or credit from prior period returns.

Payment of the amount due may be made by check or money order payable to the Wisconsin Department of Revenue. Write your Wisconsin tax account number on your check or money order and be sure to enclose it with your completed Wisconsin Rental Vehicle Fee Return.

Sign and date your return: Be sure to sign and date your return and list your daytime telephone number.

* For purposes of lines 1 and 5, you may reduce taxable receipts in the current reporting period by sales reported as taxable on a previously filed return when you receive a valid exemption certificate after the sale. The deduction is claimed on the return for the period in which you received the exemption certificate. You may claim the deduction only if all of the following apply:

- You paid the rental vehicle fee to the Department of Revenue
- You have returned to the buyer, in cash or credit, all rental vehicle fees previously paid by the buyer
- The rental vehicle fee return on which you will claim the deduction is in the same taxable year (for income or franchise tax purposes) in which you reported the sale and paid the rental vehicle fee.