

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. Read these instructions and enter the requested information and amounts on the Wisconsin Rental Vehicle Fee Return for the correct period covered. **Note:** You should 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 8992
Madison WI 53708-8992

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 should write to the Department's Registration Unit (see the address in the SPECIAL INSTRUCTIONS section below) 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 against the fee due on this return for previous overpayments. To obtain a refund of your overpayment, send a written request to Wisconsin Department of Revenue, PO Box 8946, Madison WI 53708-8946. Information may be obtained from any Department of Revenue office.

Any Questions? Contact any Department of Revenue office or write:

- Wisconsin Department of Revenue
PO Box 8949
Madison WI 53708-8949,
- Telephone: (608) 266-2776
TDD (608) 267-1049
- FAX: (608) 267-1030,
- E-mail: sales10@dor.state.wi.us, or visit our website: www.dor.state.wi.us.

SPECIAL INSTRUCTIONS

Federal Employer Identification Number and Social Security Number: If the federal employer identification number or sole proprietor's social security number is incorrect or not listed, enter the correct number in the space provided.

If your federal employer identification number is incorrect because of a change in ownership, attach a letter of explanation.

Period Covered: It is important that you verify you are using the correct period covered return for reporting your Wisconsin rental vehicle fees.

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 8949
Madison WI 53708-8949

Be sure to include your seller's permit or use tax registration number in all correspondence.

INSTRUCTIONS FOR LINES 1 THROUGH 8

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, including the Regional Transit Authority Fee collected from customers on line 4, 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.
- Mobile homes – Vehicles designed to be towed as a single unit or in sections upon a

highway by a motor vehicle and equipped and used or intended to be used, primarily for human habitation, with walls of rigid uncollapsible construction. A mobile home exceeding 45 feet shall be considered a primary housing unit. A mobile home not exceeding 45 feet shall be considered a touring or recreational unit.

- 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-one 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 sales, taxable receipts from rentals of vehicles for 30 days or less at that location are not included on line 1 of Form RV-12 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 3 Enter the total number of rental transactions of Type 1 automobiles by establishments primarily engaged in the short term rental of vehicles without drivers, for a period of 30 days or less, that occurred in the Regional Transit Authority created by the counties of Kenosha, Racine, and Milwaukee.

Exemptions that apply to the rental of motor vehicles (see exemptions listed for line 1) also apply to the regional transit authority fee.

Note: This fee is to be collected from the person to whom the passenger car is rented. The retailer that collects this fee is required to separately state the fee on the receipt provided to the rental customer.

Line 4 Multiply the amount on line 3 by \$2.00 and enter the result on line 4.

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% per month, up to a maximum 25%, of the tax on line 7. These penalties may be waived in the case of death of the person required to file the return, or if a reasonable explanation exists for the late filing.

If you believe that a reasonable explanation exists for the late filing, attach it to your return. 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 seller's permit or use tax registration 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.