



# Exemption Certificate for Certain Taxes Imposed on Diesel Motor Fuel and Propane

**Purchasers and sellers:** Read certifications carefully before giving or accepting this certificate. This certificate must be completed by the purchaser and given to the seller (see instructions). Print or type.

Name of purchaser	Name of seller
Address (number and street)	Address (number and street)
City State ZIP code	City State ZIP code
Purchaser's Certificate of Authority number	Seller's Certificate of Authority number

Specific product type : \_\_\_\_\_ . (Use a separate Form FT-1020 for each product type.)

- Single-purchase certificate** – enter the invoice or delivery ticket number \_\_\_\_\_ , and number of gallons \_\_\_\_\_ .
- Blanket certificate** – will be considered part of any order given to you and will remain in force until revoked by written notice. This certificate covers only purchases of the specific product type indicated above.

**All transactions listed in Parts 1, 2, and 3 are taxable (or exempt) as indicated (see instructions).**

### Part 1 – Purchases of kero-jet fuel

- This is an airline that is registered as an aviation fuel business under Article 13-A with registration number \_\_\_\_\_ ; or an airline registered under Article 12-A as a distributor of diesel motor fuel or as a distributor of kero-jet fuel only, with registration number \_\_\_\_\_. The kero-jet fuel is for use in airplanes owned or controlled by this airline and is being purchased from (mark an X in one):
  - a person registered under Article 12-A as a distributor of diesel motor fuel or as a distributor of kero-jet fuel only (exempt from the diesel motor fuel tax, the petroleum business tax, New York State (NYS) and local sales tax, and Metropolitan Commuter Transportation District (MCTD) sales tax); **or**
  - a person not registered as above (subject to the petroleum business tax; exempt from the diesel motor fuel tax, NYS and local sales tax, and MCTD sales tax).
- This is an airline that is **not** registered as an aviation fuel business, or as a distributor of diesel motor fuel, or as a distributor of kero-jet fuel only. The kero-jet fuel is for use in airplanes owned or controlled by this airline (subject to the petroleum business tax; exempt from the diesel motor fuel tax, NYS and local sales tax, and MCTD sales tax).
- This is **not** an airline. It is registered under Article 13-A as an aviation fuel business, or as a distributor of diesel motor fuel, or as a distributor of kero-jet fuel only. The fuel, which is being delivered directly into the fuel tank of an aircraft owned or controlled by this business, is being purchased from (mark an X in one):
  - a distributor of kero-jet fuel only (subject to NYS and MCTD sales tax; exempt from the local sales tax, the diesel motor fuel tax, and the petroleum business tax); **or**
  - a distributor of diesel motor fuel (subject to NYS and MCTD sales tax and the diesel motor fuel tax; exempt from the local sales tax and the petroleum business tax).
- This is **not** an airline and it is **not** registered as an aviation fuel business, or as a distributor of diesel motor fuel, or as a distributor of kero-jet fuel only. This business is purchasing the fuel from a distributor of kero-jet fuel only that delivers the fuel directly into the fuel tank of an airplane owned by this business (subject to NYS and MCTD sales tax and the petroleum business tax; exempt from the local sales tax and the diesel motor fuel tax).

### Part 2 – Purchases of propane or water-white kerosene

- I am a registered vendor purchasing **propane** for resale. The propane is not designated or destined for use as motor fuel. I will collect any applicable tax on the final sale (exempt from the motor fuel tax, the petroleum business tax, and NYS and local sales tax).
- I am a registered vendor purchasing **water-white kerosene** for resale that I will resell exclusively for heating purposes in quantities of 20 gallons or less (exempt from the diesel motor fuel tax, the petroleum business tax, and NYS and local sales tax).

### Part 3 – Purchases of non-highway diesel motor fuel for use in production

- I am a registered vendor purchasing non-highway diesel motor fuel for use directly and exclusively in the production of gas, electricity, refrigeration, or steam for sale. It will not be delivered into a storage tank equipped to dispense fuel into the fuel tank of a motor vehicle or used on the public highways of NYS (subject to the petroleum business tax at the commercial gallonage rate and, if delivered or used in New York City, the New York City local sales tax, but exempt from the diesel motor fuel tax and NYS and other local sales tax).
- I am a registered vendor purchasing non-highway diesel motor fuel for use directly and exclusively in the production of tangible personal property for sale by refining, mining, or extracting. It will not be delivered into a storage tank equipped to dispense fuel into the fuel tank of a motor vehicle or used on the public highways of this state (subject to the petroleum business tax at the commercial gallonage rate, but exempt from the diesel motor fuel tax and NYS and local sales tax).

### Signature

I certify that the above statements are true and complete, and I make these statements with the knowledge that willfully issuing a false or fraudulent certificate with the intent to evade tax is a misdemeanor under New York State Tax Law sections 1812(c)(4), 1812-f(c)(4), and 1817(m) and Penal Law section 210.45, punishable by a fine up to \$10,000 for an individual or \$20,000 for a corporation. I also understand that the Tax Department is authorized to investigate the validity of exemptions claimed or the accuracy of any information entered on this form.

Signature of purchaser or authorized representative	Title	Date
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## Instructions

### Purchasers

Use this certificate to claim exemption from the taxes on diesel motor fuel and propane under one or more of the designated categories. A separate Form FT-1020 must be used for each product type. You may use it for a single purchase or for blanket purchases of the same product. Except for airlines, purchasers of kero-jet fuel must issue a new blanket certificate to make a purchase not subject to the local sales tax on or after December 1, 2017. A previously issued blanket certificate cannot be used.

### Sellers

Your sales are subject to the applicable taxes on diesel motor fuel or propane unless the purchaser gives you a properly completed certificate no later than 90 days after the delivery of the product sold. Keep this certificate for at least three years.

### Definitions

*Diesel motor fuel* is No. 1 diesel fuel, No. 2 diesel fuel, biodiesel, kerosene, fuel oil or other middle distillate and also motor fuel suitable for use in the operation of an engine of the diesel type. It does not include any product specifically designated as No. 4 diesel fuel.

*Non-highway diesel motor fuel* is any diesel motor fuel that is designated for use other than on a public highway (except for the use of the public highway by farmers to reach adjacent lands), and is dyed diesel motor fuel.

*Highway diesel motor fuel* is any diesel motor fuel that is not non-highway diesel motor fuel.

*Dyed diesel motor fuel* is diesel motor fuel that has been dyed in accordance with and for the purpose of complying with the provisions of 26 USC 4082(a).

### Part 1 – Purchases of kero-jet fuel

Kero-jet fuel may be purchased exempt from the diesel motor fuel tax, petroleum business tax, and/or sales tax as indicated on the form.

Purchasers of kero-jet fuel for resale should use Form FT-1001, *Exemption Certificate for Diesel Motor Fuel Interdistributor Transactions*.

### Part 2 – Purchases of propane or water-white kerosene

Any person who sells propane designated or destined for use as motor fuel should register as a liquefied petroleum gas fuel permittee using Form TP-650, *Application for Registration Under Articles 12-A and 13-A*, if the person does not otherwise have to register as a distributor of motor fuel. Once registered as a liquefied petroleum gas fuel permittee, a person may sell propane as motor fuel and must charge and report the motor fuel excise tax, the petroleum business tax, the petroleum testing fee, and NYS and local sales taxes.

A vendor selling water-white kerosene must keep a log of water-white kerosene sales used for home-heating purposes. The vendor must indicate the following information for each sale:

- the customer's name and address;
- the date of sale;
- the number of gallons purchased;
- the selling price per gallon; and
- the amount of local sales tax, if any.

The exemption for water-white kerosene applies to dyed kerosene that is delivered to a filling station or other retail vendor for sale to consumers in containers of 20 gallons or less, and otherwise meets the appropriate standards for K-1 kerosene. This exemption does not apply to kerosene that is undyed; blended or mixed with any other product constituting diesel motor fuel, motor fuel, or residual

petroleum product; or sold or used as fuel to operate a motor vehicle.

### Part 3 – Purchases of non-highway diesel motor fuel for use in production

Nonprofit organizations may no longer use this form to purchase heating oil. They must use Form FT-1021-A, *Certification for Purchases of Non-Highway Diesel Motor Fuel or Residual Petroleum Product by Certain Exempt Organizations*.

This certificate may not be used to purchase fuel for use in farm production; use Form FT-1004, *Certificate for Purchases of Non-Highway Diesel Motor Fuel or Residual Petroleum Product for Farmers and Commercial Horse Boarding Operations*.

Non-highway diesel motor fuel purchased for use directly and exclusively in the production of tangible personal property for sale by manufacturing, processing, or assembly may be purchased exempt from taxes using Form FT-1012, *Manufacturing Certification for Non-Highway Diesel Motor Fuel and Residual Petroleum Product*.

Kerosene is exempt from the petroleum business tax unless it is used or sold for use in a motor vehicle, or mixed or blended with any other product to produce a diesel motor fuel, motor fuel, or residual petroleum product.

### Privacy notification

See our website or Publication 54, *Privacy Notification*.

### Need help?



Visit our website at **[www.tax.ny.gov](http://www.tax.ny.gov)**

- get information and manage your taxes online
- check for new online services and features

### Telephone assistance

Miscellaneous Tax Information Center:	518-457-5735
To order forms and publications:	518-457-5431
Text Telephone (TTY) or TDD equipment users	Dial 7-1-1 for the New York Relay Service