



Montana Department of Transportation
PO BOX 8019
HELENA MT 59604-8019
www.mdt.mt.gov

Instructions for *Off-Road* Refund Application Montana Diesel and/or Gasoline Tax

**Important Information:
Montana's special fuel (diesel) and gasoline tax rates
increased July 1, 2017.**

Diesel tax rates

Prior to July 1, 2017 - .2775
July 1, 2017 - .2925

Gasoline tax rates

Prior to July 1, 2017 - .27
July 1, 2017 - .315

Applicable laws:

ARM 18.15.502 OFF-HIGHWAY VEHICLE/EQUIPMENT

- (1) For the purpose of this rule, an "off-highway or off-road vehicle" is defined as a vehicle not designed to transport persons or property upon the public roads and highways of this state, including special mobile (SM) plated vehicles and vehicles with physical characteristics intended for primary use in an off-road manner which may or may not be licensed as special equipment. These vehicles may occasionally move on the public road for purposes such as movement between job sites or repair.
- (2) There will be no restriction for miles traveled on the highway from location to location, so long as such travel is occasional and for those purposes listed above.
- (3) SM-plated vehicles/equipment that have undyed diesel in the supply tank and move on the public roads do not qualify for a refund for the portion used on public roads.
- (4) In order to obtain a refund for off-road or off-highway equipment fueling at a service station, the station must identify on the invoice, receipt or statement the off-road or off-highway piece of equipment being fueled.

MCA 15-70-432 requires that all applications for refunds be filed within 36 months of the date of purchase of the tax paid fuel.

MCA 15-70-434 allows the department 120 working days after receiving a refund claim to approve or reject it.

Revised March 2018

Definitions

Bulk Delivery means placing gasoline or diesel in storage or containers. The term does not mean gasoline or diesel delivered into the supply tank of a motor vehicle.

Bulk Storage means a container or tank holding any fuels for storage except for the supply tank of a motor vehicle or any combustible engine or motor fuel placed in storage at refineries or pipeline terminals.

Vehicle Mileage Log: A detailed mileage account for a vehicle listing: Company Name, Unit #, Trip date, origin, destination, beginning and ending odometer readings for on and off road and major roads traveled. The Vehicle Mileage Log is a required record to be kept in your files for Schedule B - Off-Road refunds and Schedule C – Power Take-Off Unit refunds. A sample of a Vehicle Mileage Log is attached at the end of this booklet for your use.

Dispersal Record: A withdrawal record of fuel detailing the type of fuel withdrawn, the vehicle or equipment the fuel was put into, the number of gallons dispersed and the date of dispersal. The Dispersal Record is a required form to be kept in your files for Schedule B-Off-Road refunds and Schedule C – Power Take-Off Unit refunds. A sample of a Dispersal Record is attached at the end of this booklet for your use.

Off-Road Usage: Fuel that is **not** used to propel a vehicle on any streets, roads, highways, alleys, county roads, county gravel roads, forest service roads (except forest service development roads) and their related structures is considered “off-road” usage. An example of off-road usage is fuel used in a generator or tractor. A person who operates a licensed vehicle on and off the public roads for commercial purposes may claim refund of state tax for off-road usage when mileage and usage records are maintained.

Public Road Projects: MCA 15-70-403(8) and (9) state that all special fuel sold or used in motor vehicles, motorized equipment, and the internal combustion of any engines, including stationary engines, and used in connection with any work performed under any contracts pertaining to the construction, reconstruction, or improvement of any highway or street and their appurtenances awarded by any public agencies, including federal, state, county, municipal, or other political subdivisions, must be undyed fuel on which state fuel tax has been paid. Material used for construction, reconstruction, or improvement in connection with work performed under a contract for a public road project must be produced using special fuel on which state fuel tax has been paid.

Invoice/Receipt Requirements

All items must be filled out at the time of purchase. Any changes or corrections on an invoice will not be accepted. Invoices changed or altered in any way must be voided and a new invoice issued by the dealer. If any information is missing, contact your dealer.

All information listed below is required on an invoice or receipt to be eligible for a motor fuel tax refund and must be filled out at the time of purchase and delivery. If any information is missing, the applicant may provide a copy of the corresponding billing statement with the original invoice/receipt that supports the missing information. No altered or corrected invoice/receipt will be accepted for refund purposes. Invoices/receipts altered in any way must be voided and a new invoice/receipt issued by the dealer. The name on the invoices/receipts must match the name on the application. If there is any variance, the applicant must list alternate names and/or DBA information box on front page of refund form or the invoice/receipt will not be accepted. Each invoice, receipt, cardrol statement and accompanying billing statement collectively must contain or show the following:

- a) name and address of seller;
- b) name or account number of purchaser;
- c) complete date of delivery or purchase;
- d) type of fuel;
- e) number of gallons purchased;
- f) price per gallon or total amount of sale;
- g) Any person who requests a refund or credit of motor fuel tax must have satisfactory evidence that the Montana motor fuel tax was included in the total price paid. Examples: "All taxes included in the price or a breakdown of taxes charged", etc.

Off-Road Refund Application Form Instructions

1. List fuel purchases:

Complete the Itemized Listing on page 3 of the refund application for all eligible fuel purchases. Montana's fuel tax rates increased on July 1st, 2017. List fuel purchased before July 1st, 2017 in the first section and fuel purchased on or after July 1st, 2017 in the second section. Complete all columns that apply to each invoice. *The totals will auto calculate and populate to page 2 when the form is completed on-line.*

2. Bulk Storage Reconciliation and Refund Computation

Complete the Bulk Storage Reconciliation and the Refund Computation on page 2.

****Make sure to enter the amounts in the correct time period when the fuel was purchased. Oldest gallons are removed from storage first. *The totals will auto calculate and populate to page 2 when the form is completed on-line.***

Bulk Storage Reconciliation. Fill out lines a thru g of the Bulk Storage Reconciliation section

- a) Beginning Inventory. This amount will be your total gallons of fuel on hand *before* you received any fuel.
- b) Received into Storage. Enter the total bulk fuel gallons purchased.
- c) Total Inventory. You will add lines A & B and enter the total.
- d) Ending Inventory. Enter the number of gallons that are remaining in bulk storage.
- e) Total Fuel Dispensed. This total will come from subtracting line D from line C.
- f) Portion of line E dispensed into vehicles. Enter the total gallons from your dispersal records dispensed into vehicles from the bulk storage.
- g) Portion of line E dispensed into equipment. Enter the total gallons from your dispersal records dispensed into equipment from the bulk storage.

2. Bulk Storage Reconciliation and Refund Computation (continued)

Refund Computation. Fill out lines 1 through 14 of the Refund Computation section.

Lines 1 through 8 pertain only to motor vehicles. If you are only filing for off-road equipment, go directly to line 9.

1. Total miles traveled in all jurisdictions. Enter the total number of miles traveled on **all** roads from your mileage records. *International Fuel Tax Agreement (IFTA) vehicles do not qualify.*
2. Total gallons dispensed from bulk storage into vehicles. Enter the total from line F above. *Do not put equipment fuel on this line.*
3. Total fuel placed in vehicles at the pump. Enter the total gallons from the Montana taxed gallons at the pump placed in vehicles for gasoline and/or diesel.
4. Total gallons used in vehicles. Add lines 2 & 3 and enter total.
5. Average miles per gallon. Divide line 1 by line 4 and enter total.
6. Total miles traveled on public roads in Montana. Enter the total number of miles traveled on public roads and streets in Montana from your mileage logs. *Please do not include off-road miles.*
7. Total miles traveled off-road in Montana. Enter the total number of miles traveled off road from your mileage logs.
8. Gallons used off-road in Montana. Divide line 7 by line 5 and enter total.
9. Total gallons disbursed from bulk storage into equipment. Enter the total from line g above in the Bulk Storage Reconciliation. **Do Not** enter vehicle fuel on this line.
10. Total gallons placed into equipment at the pump. Enter the total gallons from the Montana taxed gallons at the pump placed in equipment for gasoline and/or diesel.
11. Total gallons placed into equipment on Public Road Projects. Enter total fuel used on a Public Road Project.
12. Total Montana taxed gallons subject to refund. Add lines 8, 9, 10, and subtract line 11 ($8 + 9 + 10 - 11$) and enter total.
13. Tax paid per gallon. This is the current motor fuel tax levied on gasoline and undyed diesel.
14. Amount of refund. Multiply line 13 by line 14; this will be your refund amount for gasoline and/or diesel that you will enter in the Requested Amounts on page 1.

3. Finalize the Off-Road Refund Application of Montana Diesel or Gasoline Tax:

- a. Time Period for Refund. Enter the range of purchase dates on the invoices being claimed for refund.
- b. Entity Type. Select your appropriate entity type
- c. Applicant Information. Complete the following applicant information
 - i. Taxpayer ID number or Social Security Number (SS). Enter the appropriate Taxpayer or SS number.
 - ii. How the fuel is used, i.e., fuel used for construction, etc.
 - iii. Applicant's Name or Trade Name. Enter the name of the individual or business applying for the refund.
 - iv. Mailing address. Enter the address where checks and/or correspondence should be mailed.
 - v. Phone. Enter a daytime phone number where applicant can be contacted.

- d. Requested Amounts. Complete or verify the refund amounts.
Gasoline total – Add totals for both columns from line 14, page 2 and enter here.
Diesel total – Add totals for both columns from line 14, page 2 and enter here.
Total Refund – Add the gasoline and diesel totals together to calculate your Total Refund amount.

****Reminder** – *these fields will auto calculate if you complete the form on-line.*

- e. Preparer's Information. Complete the third party's information (if applicable)
Enter preparer's name, mailing address, and phone number.

****Applicant must check indicator box if he/she does not want the department to discuss the refund application with the preparer.**

- f. Print Form

- g. Sign and date printed form. A third-party preparer must sign and date refund form (if applicable). Applicant or authorized representative must sign and date the refund form. The signature must be an original signature.

4. Send the Off-Road Refund application. Choose one of the several options below to submit your application for refund.

Mail to: Montana Department of Transportation
PO Box 8019
Helena MT 59604-8019

Or FAX to: (406) 444-5411

Or email to: mdtfuelrefund@mt.gov

Or upload through Montana's Secure File Transfer Service at: <https://epass.mt.gov>

The instructions for the Secure File Transfer are found at: <https://transfer.mt.gov/Home/Instructions>

Invoices and/or receipts must be submitted with your application to support your claim for refund. Original bulk delivery invoices must be submitted with your application if you send your application through the mail.

If you have any questions filling out these forms, please call (406) 444-7664 between the hours of 8:00am and 5:00pm, Monday through Friday except holidays. You may download forms from the department's Website at: www.mdt.mt.gov.

MDT attempts to provide accommodations for any known disability that may interfere with a person participating in any service, program or activity of the Dept. Alternative accessible formats of this information will be provided upon request. For further information call (406) 444-7664 or TTY (800) 335-7592, or by calling Montana Relay at 711

By cooperative agreement, the Montana Department of Transportation exchanges fuel tax information with other tax collecting agencies.