

**State of Florida Department of Revenue - Tallahassee, Florida**  
**MOTOR VEHICLE SALES TAX RATES BY**  
**STATE AS OF JANUARY 30, 2009 AND TAX CREDIT APPLICATION**

TIP # 09A01-01

**Motor Vehicles Purchased in Another State and Brought into Florida**

Section 212.06(7), Florida Statutes (F.S.), allows a credit to be given on tangible personal property brought into Florida where a like tax has been lawfully imposed and paid in another state. If the amount paid is equal to or greater than the amount imposed by Florida, no additional tax is due. If the amount is less than the amount imposed in Florida, only the difference between the two is due. However, it is presumed that tangible personal property used in another state, territory of the U.S., or District of Columbia for six months or longer before being brought into Florida was not purchased for use in Florida; and, therefore, no Florida tax is due. No credit of Florida tax is given for use or taxes paid in another country. See section entitled "Foreign Countries."

Credit against Florida sales tax and any discretionary sales surtax shall be given for a like tax paid in another state, whether the tax has been paid to the state, or to a county or city (local taxes) within the other state, and provided the like tax is related to the transaction.

**Motor Vehicles Sold in Florida to Residents of Another State**

Section 212.08(10), F.S., allows a partial exemption for a motor vehicle purchased by a resident of another state. The tax imposed is the amount of sales tax that would be imposed by the purchaser's home state if the vehicle were purchased in that state; however, it is not to exceed the Florida 6% tax rate. The tax collected is Florida tax and is to be remitted to the Florida Department of Revenue. The nonresident purchaser is required to complete, at the time of sale, Form DR-123, Affidavit for Partial Exemption of Motor Vehicle Sold for Licensing in Another State, declaring his/her intent to license the vehicle in his/her home state within 45 days of the date of sale. If the nonresident purchaser licenses the motor vehicle in his or her home state within 45 days from the date of purchase, there is no requirement that the motor vehicle has to be removed from this state.

The partial exemption for a motor vehicle sold in Florida to a nonresident purchaser does not apply to a nonresident corporation or partnership when:

- \* An officer of the corporation is a Florida resident;
- \* A stockholder who owns at least 10 percent of the corporation is a Florida resident; or
- \* A partner who has at least a 10 percent ownership in the partnership is a Florida resident.

However, the partial exemption may be allowed for corporations or partnerships if the vehicle is removed from Florida within 45 days after purchase and remains outside this state for a minimum of 180 days, regardless of the residency of the owners or stockholders of the purchasing entity.

Currently, the states of Arkansas, Mississippi, and West Virginia impose a sales tax on motor vehicles, but they DO NOT allow a credit for taxes paid to Florida. Residents of these states should be made aware that they are required to pay sales tax to Florida at the rate imposed by their home state when they purchase a vehicle in Florida and will also be required to pay tax to their home state when the vehicle is licensed in their home state.

**FOR MORE INFORMATION**

This document is intended to alert you to the requirements contained in Florida laws and administrative rules. It does not by its own effect create rights or require compliance.

For forms and other information, visit our Internet site at [www.myflorida.com/dor](http://www.myflorida.com/dor) or call Taxpayer Services, 8:00 a.m., to 7:00 p.m., ET, Monday through Friday, excluding holidays, at 800-352-3671.

Persons with hearing or speech impairments may call our TDD at 800-367-8331 or 850-922-1115.

For a detailed written response to your questions, write the Florida Department of Revenue, Taxpayer Services, 5050 West Tennessee Street, Building L, Tallahassee, FL 32399-0112.