



Florida Prepaid Wireless E911 Fee Frequently Asked Questions

Q What is a Prepaid Wireless E911 Fee?

A Florida law requires retail sellers of prepaid wireless services to collect the 40 cent E911 fee on the sale of each prepaid wireless service that allows a caller to connect to and interact with the Enhanced 911 (E911) System. This includes calling cards, plans, replenishments or devices sold with prepaid wireless service. The law requires retail sellers of prepaid wireless services to register each business location with the Department of Revenue to collect, report, and pay the E911 fee.

Q Who is responsible for collecting and reporting the Prepaid Wireless E911 Fee?

A Retailers that sell prepaid wireless services must register with the Florida Department of Revenue to collect and remit the Prepaid Wireless E911 Fee.

Q How does a seller register to collect the Prepaid Wireless E911 Fee?

A All retail sellers of prepaid wireless services must register each business location with the Florida Department of Revenue to collect, report, and pay the E911 fee. Sellers may register using the Department's website at www.floridarevenue.com or by completing a paper *Florida Business Tax Application* (Form DR-1).

Q How does a seller remit the Prepaid Wireless E911 Fees that were collected?

A The easiest way to report and pay the Prepaid Wireless E911 Fees is to use the Department's convenient, free, and secure website at <http://floridarevenue.com/dor/eservices/filepay.html>

Q What wireless services are subject to the Prepaid Wireless E911 Fee?

A The 40 cent fee is due on the following types of cellular phones and cards:

- cellular phones preloaded with a set dollar amount for minutes or units of air time, or sold with rebates for air time;
- calling cards for cellular phones preloaded with a set dollar amount for minutes or units of air time;
- the recharging of a reusable cellular phone calling card; and
- the recharging of a cellular phone itself with additional minutes or units of air time.

Q Does the Prepaid Wireless E911 Fee apply to cell phones purchased without prepaid wireless service?

A Federal regulations require that all cell phones when sold allow the user to connect and interact with the Enhanced E911 System, including those sold without airtime.

Florida law permits sellers to elect whether to collect the Prepaid Wireless E911 Fee on prepaid cell phones sold for a single, non-itemized price when:

- the cell phone is sold without airtime (The prepaid cell phone can be used to connect to the Enhanced E911 System without purchasing airtime); and
- the prepaid cell phone is sold with airtime of 10 minutes or less or \$5 or less.

Q Are prepaid long distance telephone cards subject to the Prepaid Wireless E911 Fee?

A Sales of traditional prepaid long distance telephone cards marketed and used only for landlines and payphones are not prepaid wireless services and are not subject to the fee.

Q Are sellers required to itemize the Prepaid Wireless E911 Fee separately on the customer's bill, invoice, ticket, or billing statement?

A Yes. Sellers are required to itemize the Prepaid Wireless E911 Fee separately on the customer's bill, invoice, ticket, or billing statement.

Q When should sellers file and remit the Prepaid Wireless E911 Fee?

A Registered sellers must file the new *Florida Prepaid Wireless E911 Fee Return* (Form E911-PPW) to report and pay the fees collected. Sellers who file and pay timely are entitled to retain a 5% collection allowance.

The filing frequency is the same as the filing frequency for the seller's Sales and Use Tax account. In addition, sellers who anticipate their fee collections to be less than \$50 per month may elect to report fees quarterly. The *Florida Prepaid Wireless E911 Fee Return* and payments are due on the 1st and late after the 20th day of the month following each reporting period. Returns and fees filed and paid electronically must be submitted before 5:00 p.m. ET, on the business day immediately preceding the 20th.

Q How do I report the county where the sales transaction occurred?

A The Department's Address/Jurisdiction Database located at <https://pointmatch.floridarevenue.com/Default.aspx> can be used to determine in which county a Florida address is located. Use the information below to determine the county in which a sales transaction occurs for reporting purposes:

- If the transaction takes place in person by a consumer at a retail location in Florida then the reported transaction would occur in the county of the retail location.
- If the transaction does not take place at a retail location in Florida, and items are shipped to the consumer, then the reported transaction would occur in the county of the consumer's mailing address.
- If the transaction does not take place at a retail location in Florida, and no items are shipped to the consumer, the reported transaction would occur in the county of the consumer's address or the location associated with the consumer's mobile telephone number.
- If the county in which the transaction occurs cannot be determined, the fee is to be reported as nonspecific.

Q Are sellers required to collect the Prepaid Wireless E911 Fee on transactions of \$5 or less?

A If a prepaid wireless device is sold with a prepaid wireless service of 10 minutes or less, or for \$5 or less, the seller may elect to not apply the prepaid wireless E911 fee to the sale.

Q Is there still sales tax on the phones and cards or does this fee replace the sales tax?

A The Prepaid Wireless E911 Fee is in addition to the sales tax.

Q Should one fee or multiple fees be collected on a retail transaction that involves multiple items, such as prepaid card, phones, and other services?

A Each retail sale of a prepaid wireless telecommunications service is subject to the Prepaid Wireless E911 Fee. For example, a retail sale of three separately-packaged prepaid wireless phone cards by a seller to one customer is subject to the forty cents (40¢) Prepaid Wireless E911 Fee **per card**. A retail sale of a single package/item that includes three prepaid wireless phone cards is subject to **one** forty cent (40¢) Prepaid Wireless E911 Fee. In other words, retailers should collect one Prepaid Wireless E911 Fee per product sold.

Q Is the Prepaid Wireless E911 Fee only collected by retailers that normally sell telecommunication services?

A No. Any retailer selling prepaid wireless airtime cards and other related products will be required to collect the Prepaid Wireless E911 Fee from their customers. Retailers collecting the fee may include gas and convenience stores, grocery stores, department stores, drug stores, electronics stores, farm supply centers, and home and garden centers.

Q I read somewhere that sellers are allowed to keep a percentage of the Prepaid Wireless E-911 Fee. How does that work?

A Sellers who file and pay timely are entitled to retain a 5% collection allowance.

Q How are funds from the Prepaid Wireless E911 Fee used?

A This fee was established to ensure that funding for the emergency assistance (E911 service) is maintained throughout Florida with equal contribution from consumers of prepaid wireless telecommunications services. This fee funds expenses incurred by local governments to install and operate 911 systems, and reimburses wireless providers for costs incurred to provide 911 or E911 services.

Q How can I contact the Florida Department of Revenue if I have questions or problems regarding the Prepaid Wireless E911 Fee?

A For forms and other information, visit our website at www.floridarevenue.com or call Taxpayer Services, at 800-352-3671, Monday through Friday (excluding holidays). For a detailed written response to your questions, write the Florida Department of Revenue, Taxpayer Services, MS 3-2000, 5050 West Tennessee Street, Tallahassee, FL 32399-0112.