

Florida Department of Revenue
Tax Information Publication

TIP 00A01-19

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Railroad Roadway Materials Exempt From Sales and Use Taxes

Effective July 1, 2000, railroad roadway materials are exempt from sales and use taxes when used in the construction, repair, or maintenance of railroad roadways. Railroad roadways are the track systems maintained by railroads.

Railroad roadway materials include rails, ties, ballasts, communication equipment, signal equipment, power distribution equipment, and other track materials. The term does not include construction equipment, tools, or consumable supplies used in the construction, repair, or maintenance of railroad roadways but which are not incorporated into the roadway.

The exemption is available when roadway materials are purchased by railroads or by contractors engaged by railroads to construct, repair, or maintain railroad roadways. A purchaser may extend to the seller a completed Purchaser's Exemption Certificate to claim this exemption. Contractors should use a separate certificate for each contract for which purchases of exempt materials are made. The Department of Revenue will look to the purchaser for recovery of the tax if it determines that the purchaser was not entitled to this exemption. (A suggested Purchaser's Exemption Certificate is attached.)

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.

Information and forms are available on our Internet site at <http://sun6.dms.state.fl.us/dor/>

To receive forms by mail:

- * Order multiple copies of forms from our Internet site at <http://sun6.dms.state.fl.us/dor/forms/order>, or
- * Fax your form request to the DOR Distribution Center at 850-922-2208, or
- * Call the DOR Distribution Center at 850-488-8422, or
- * Mail your form request to:
DISTRIBUTION CENTER, FLORIDA DEPARTMENT OF REVENUE,
168A BLOUNTSTOWN HWY, TALLAHASSEE FL 32304-3702

To receive a fax copy of a form, call 850-922-3676 from your FAX machine telephone.

To speak with a Department of Revenue representative, call Taxpayer Services, Monday through Friday, 8 a.m. to 7 p.m., ET, at 1-800-352-3671 (in Florida only) or 850-488-6800. Hearing or speech impaired persons may call the TDD line at 1-800-367-8331 or 850-922-1115.

For a written response to your questions, write:
TAX INFORMATION SERVICES, FLORIDA DEPARTMENT OF REVENUE,
1379 BLOUNTSTOWN HWY, TALLAHASSEE FL 32304-2716

References:
Ch. 2000-310, L.O.F.
Section 212.08(7), F.S.

SUGGESTED PURCHASER'S EXEMPTION CERTIFICATE
RAILROAD ROADWAY MATERIALS
FOR USE ON OR AFTER JULY 1, 2000

_____ (Purchaser's Name) certifies that materials purchased on or after _____ (date) will be used in the construction, repair, or maintenance of, and will be incorporated into, railroad roadways. Any materials that are not eligible for the exemption will be so designated by the purchaser.

_____ (Purchaser's Name) further certifies that it is a railroad or that the materials are being purchased for use in performing a contract to construct, repair, or maintain the railroad roadway of a railroad. In the case of a contractor or subcontractor, the railroad for which the work is being performed is _____ (Name of Railroad), and purchases for the contract with such railroad will be made on or before _____ (date), after which this certificate will no longer be effective.

The undersigned understands that if such materials do not qualify for this exemption, the undersigned will be subject to sales and use tax, interest, and penalties. The undersigned further understands that when any person fraudulently, for the purpose of evading tax, issues to a vendor or to any agent of the state a certificate or statement in writing in which he or she claims exemption from the sales tax, such person, in addition to being liable for payment of the tax plus a mandatory penalty of 200% of the tax, shall be liable for fine and punishment provided by law for conviction of a misdemeanor of the second degree, as provided in s. 775.082, s. 775.083, or s. 775.084, F.S.

Purchaser's Name (Print or Telephone Number
Type)

Address Federal Employer
Identification Number or
Social Security Number

Signature Date Sales and Use Tax
Number (if applicable)

Title

**Form to be retained in seller's records.
Do not send to the Department of Revenue.**