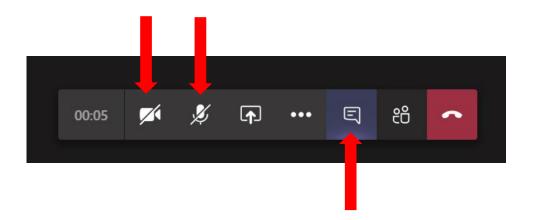


Thank you for joining our webinar.

Please turn off your microphone and camera.

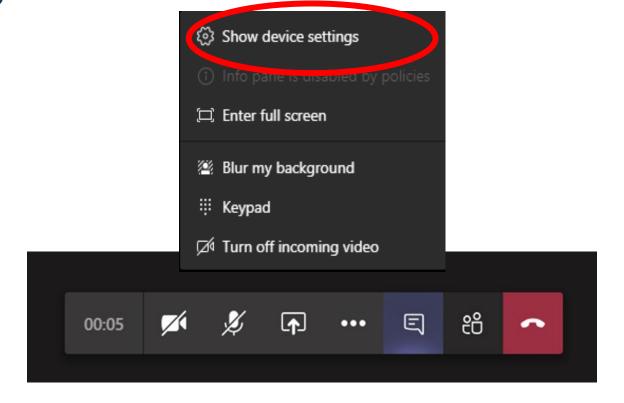


If you have any questions, they can be submitted using the chat feature.

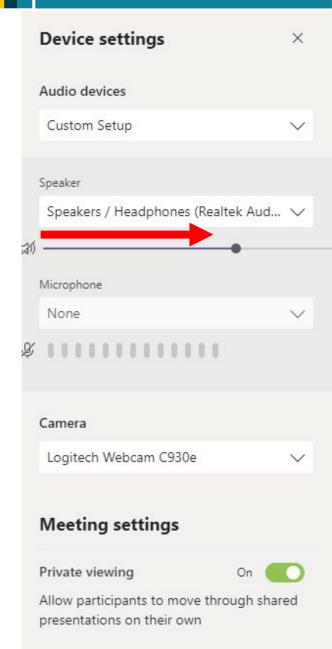
We will begin soon.



Please be sure the speakers on your computer are turned on and that the volume is appropriate for you.



We will begin soon.





Sales and Use Tax Return Preparation – Used Vehicle Dealers

www.cdtfa.ca.gov



Objectives

You will learn:

- Legislative changes.
- Payment and reporting requirements.
- How to avoid common reporting issues.
- How to electronically complete a basic sales and use tax return for used vehicle dealers.



Get it in Writing!

This presentation illustrates general tax concepts and does not describe every situation. Contact us at www.cdtfa.ca.gov/email/ with details specific to your business operations for written tax guidance that you may rely on under the law.

Please note: The contents of these slides as well as the answers provided in the "chat" during this presentation do not constitute as written tax advice that may provide relief from liability pursuant to California Revenue and Taxation Code (R&TC) §6596 and Regulation 1705.



Legislative Changes

- Beginning January 1, 2021, certain used vehicle dealers are required to pay sales tax directly to the Department of Motor Vehicles (DMV) on their retail sales of used motor vehicles when they submit a vehicle registration application.
- DMV has implemented the new payment requirement and will notify you when your payment method is scheduled to change.
- Even after you are notified that your payment method is scheduled to change, you must continue to file your returns with us on time.



DMV

Payment Requirements

Once you have been notified that you are required to pay sales tax to DMV, you are required to:

- Make payments to DMV when a vehicle registration is submitted.
- Pay sales tax, including any applicable district taxes, directly to DMV on your retail sales of vehicles.
- Provide your nine-digit seller's permit number on your Report of Sale(s) to ensure your sales tax payment is correctly applied to your CDTFA return.
 - Note: eight-digit account numbers require a leading zero (example: 012345678).



Reporting Requirements

As a used vehicle dealer, you are now required to:

- File monthly returns with us.
- Submit a CDTFA-531-MV, Used Vehicle Dealers Sales Report.
 This schedule is submitted with your sales and use tax return and includes the following information:
 - Your dealer license number.
 - Sales transaction details:
 - Report of Sale (ROS) number.
 - Vehicle Identification Number (VIN).
 - Selling price reported to DMV.
 - Sales tax and/or sales tax penalty amounts paid to DMV, if applicable.



Reporting Requirements (continued)

CDTFA-531-MV, Used Vehicle Dealers -Sales Report

COTFA-S31-MV (FRONT) REV. 2 (11-21) USED VEHICLE DEALERS—SALES REPORT CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION								
DUE ON OR BEFORE		REPORTING PERIOD	YOUR ACCOUNT NUMBER					
		YOUR DEALER LICENSE NUMBER(S)						
I HAVE NO TAXABLE SALES OF PERIOD (ENTER ZERO ON THE COLUMNS C, D, and E BELO)	E FIRST LIN N). portant—Pi							
A	В		С	E				
		e Identification Number (VIN)	Vehicle Selling Price Reported to DMV (Only include sales made in this reporting month. Any charges related to sales not reported to DMV should be reported on line 1, Total Sales.)	Vehicle Sales Tax Paid to DMV (Only include payments made on or before this return due date.)	Penalty Paid to DMV for Late Payments of Sales Tax (Registration penalties should not be included. Only include payments made on or before this return due date.)			
Т	and amounts paid to DMV nts in columns C, D, and E)	\$	\$	\$				
inter the total amount from colum inter the total amount from colum								
		CLEAR	INT					

www.cdtfa.ca.gov/DownloadFile.ashx?path=/formspubs/cdtfa531mv.pdf



Reporting Requirements (continued)

- Report sales on your sales and use tax return in the month the sale occurs and not when the payment for the vehicle is received or when the registration and tax is paid to DMV (for dealers currently paying tax to DMV).
 - Example: If you make a sale in February, receive payment in March from your customer, and then register and/or pay the tax to DMV in March, you must report the February sale on your February return and not on your March return.



Reporting Requirements (continued)

Please Note: Tax payments made to DMV will be applied to your sales and use tax return in the period in which the sale is made, based on the Report of Sale (ROS) date. The DMV provides us with the ROS date so that we can apply payments to the correct period.



Reporting Requirements (continued)

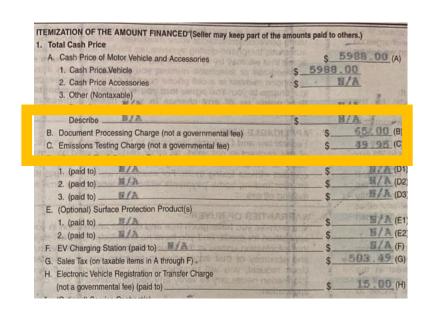
- On the *Total Sales* line of the sales and use tax return, you
 will report all your charges related to the vehicle sale, such
 as document fees, taxable smog fees, mandatory
 warranties, among others.
- However, on CDTFA-531-MV, provide only the Vehicle Selling Price Reported to DMV for each vehicle sold. Do not include:
 - Other taxable charges such as document fees, smog certification fees (when taxable), and mandatory warranties on this form.
 - Note: DMV only collects sales tax on the vehicle sales price.



Reporting Requirements (continued)

Examples of taxable charges to include in line 1, *Total Sales,* of the sales and use tax return:

- You paid sales tax to DMV based on the selling price of the vehicle. You also charge your customer a fee for preparation of documents (doc fee) and you charge a fee for the emission testing (smog), which are taxable charges made in connection with the sale of the vehicle.
- You must report the sales price of the vehicle, the doc fee, and emissions testing charge on the *Total Sales* line of your sales and use tax return.





Local Tax Allocation – Schedule C

- Local tax is the 1.25 percent portion of the 7.25 percent statewide tax rate that goes to the city or county where the sale or use takes place.
 - 1.00 percent goes to the city or county where the sale or use occurs.
 - The remaining 0.25 percent going to the county where the sale or use takes place. There are various schedules available for allocating the local tax.
- Schedule C is used to allocate sales to the cities in which you have business locations. This schedule allows you to allocate sales to one or multiple business locations.
- Schedule C will populate the full address for your registered business location(s) in California.



District Tax Allocation – Schedule A

- Many cities, counties, and multi-county transportation districts impose additional district taxes over the state rate of 7.25 percent.
- You may need to report and pay the additional district taxes if a vehicle you sold is registered in a city or county that has a district tax (or multiple district taxes).
- Schedule A is used for the allocation of district taxes. The schedule will populate the district(s) for your registered California location(s) plus any district(s) you added from the previous filing period.
- If the district you are looking for is not populated on Schedule A, you may manually add a district where you made taxable sales.



How to Avoid Common Reporting Issues

- Report sales in the correct period. Failure to pay tax in the period that the sale occurs, instead waiting until money is received or payment is submitted to DMV, will cause reporting issues.
- Accurately include your seller's permit number on your ROS. Tax is applied to your sales and use tax account based on the seller's permit number you provide on each ROS to DMV.



How to Avoid Common Reporting Issues (continued)

- Don't pay sales tax to DMV when you are not required. If you have not been notified by DMV that your payment method was changed, you should not make sales tax payments to DMV.
 - Any tax payments made to DMV, when you are not required to pay tax to them, will not be applied to your sales and use tax account.
 You must contact DMV for a refund.
 - Please note: This can be a lengthy process.
- Don't take a deduction on the return for sales tax paid to DMV.
 - The proper way to receive credit for sales tax paid to DMV against your total tax due for the period is by using CDTFA-531-MV.
 - Therefore, taking a deduction on the return to adjust for tax paid to DMV will cause errors on your return.



File a Return Demonstration

Information needed to file your return

- Total Gross Sales
- Deductions
- Schedule C Local Tax Allocation
- Schedule A District Tax Allocation
- Schedule MV Used Vehicle Dealers Sales Report



Sales and Use Tax Return

John Smith dba John's Auto Dealer



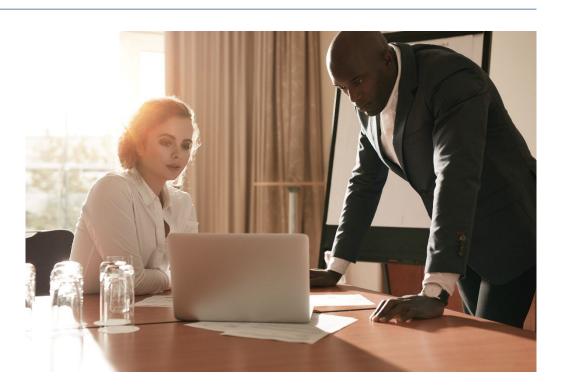


Sales and Use Tax Return Scenario 1

In March 2022, John's total sales of used vehicles were \$120,000.

Total sales includes John's:

- Retail sales
- Sales for resale
- Sales in interstate commerce





Sales and Use Tax Return Scenario 2

- John sold a car to a local dealer for \$5,000.
- John had a resale certificate on file for the transaction.
 Therefore, sales tax was not collected in this transaction.

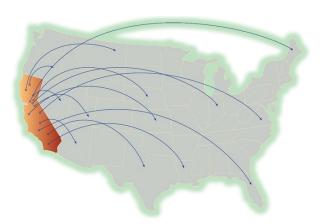




Sales and Use Tax Return Scenario 3

John made an out-of-state sale in the amount of \$4,000 and shipped the vehicle to a customer located in Arizona. This was another vehicle John obtained in a trade-in from a prior sale.

 To support this sale, John maintained in his records the following documents: a bill of lading, a completed CDTFA-447, Statement Pursuant to Section 6247 of the California Sales and Use Tax Law, and CDTFA-448, Statement of Delivery Outside California.





Sales and Use Tax Return CDTFA-447, Statement Pursuant to Section 6247 of the California Sales and Use Tax Law

CDTFA-447 REV. 8 (8-17)
STATEMENT PURSUANT TO SECTION 6247
OF THE CALIFORNIA SALES AND USE TAX LAW

STATE OF CALIFORNIA CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION

The timely acceptance in good faith by the selier of this CDTFA.447, properly completed, will relieve the seller of liability for failure to collect use tax from the purchaser. The seller must retain the original statements. Where the seller does not collect the use tax from the purchaser and it is determined that the vehicle was purchased for use in California, the purchaser must pay the applicable use tax to the California Department of Tax and Fee Administration (CDTFA). Note: This CDTFA.447 only relieves the seller of the duty to collect use tax from the purchaser, and does not relieve the seller from sales tax, which will usually apply if the property is delivered to the purchaser in California. That is, this CDTFA.447 is useful only where the property is delivered to the purchaser with an experiment of the purchaser used to the purchaser until the collection of the purchaser until the purchaser until the collection of the purchaser until the collection of the purchaser until th

NOTICE TO PURCHASER

Please note that if this vehicle is brought into California for any reason, other than qualifying warranty or repair service, within the first 12 months of its delivery, it shall be presumed that you have purchased the vehicle for use in California and you may owe California use tax applies, you must pay it directly to the CDTFA. Since you are claiming that this vehicle is not purchased for use in California, it is important that for the first 12 months of ownership, you obtain documentary evidence of the place of use of this vehicle (for example, proof or registration in another state, gas another service receipts, credit card statements, there were proposed in the control of the place of use of the place of use of this vehicle (for example, proof or registration in another state, gas another service receipts, credit card statements, there were proposed in the place of the place of use in California, you should retain records for at least eight years showing your out-of-state use during the first 12 months after your purchase. For more detailed information, please contact the CDTFA's Consumer Use Tax Section at 1-916-445-9524. You may find forms and publications on our website at www.cdfb.ca.gov.

	To be completed by	the purchaser. (please	type or print)		
I have an address or I am stationed in the	e military within the State of				
STREET		CITY	STATE	ZIP CODE	
My California Mailing Address is (if diff	ferent from address above)				
STREET		atv	STATE	ZIP CODE	
I certify that the vehicle described below be used at the following out-of-state addr			or storage, use, or other consi	umption in California, and wil	
STREET		ату	STATE	ZIP CODE	
This vehicle will be delivered to me at the	following out-of-state addr	ress (cannot be a P.O. Box	l:		
STREET		ату	STATE	ZIP CODE	
DRIVER LICENSE NUMBER		STATE	DAYTIN (DAYTIME TELEPHONE NUMBER	
NAME OF PURCHASER (please print)		SIGNATURE		DATE	
		24.			
Fraudulent use of this state	ment to avoid the payr	ment of California sale	s and use tax may result	in severe penalties.	
	To be completed	by the seller. (please t	ype or print)		
Vehicle Description:					
YEAR	MAKE	MACE		MODEL	
VINLICENSE NUMBER	PURCHASE PI	PURCHASE PRICE		DATE OF PURCHASE	
Name and Address of California seller	:				
NAME	CDTFA SELLE	R'S PERMIT NUMBER	DAYTIN	DAYTIME TELEPHONE NUMBER	
STREET	СПУ		STATE	ZIP CODE	
NAME OF AGENT (please print)		SIGNATURE		DATE	
		34			

NOTICE TO SELLER

Please provide a copy of this form to the purchaser and retain the original for your records. This transaction is subject to audit. We request that, within 30 days of the date of delivery to the purchaser, you send a copy of this statement, a copy of the purchase contract, and a copy of the completed CDTFA-448, Statement of Delivery Outside California. to the address below.

www.cdtfa.ca.gov/formspubs/cdtfa447.pdf



Sales and Use Tax Return CDTFA-448, Statement of Delivery Outside California

STATEMENT OF DELIVERY OUTSIDE CALIFORNIA

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF
TAX AND FEE ADMINISTRATION

When a whicle is delivered to the purchaser outside California, the seller (or person making the delivery on behalf of the seller) and the purchaser brould both be at the out-of-state delivery point at the time of delivery, in order to establish that the delivery quid not occur in California, both persons are urged to appear at the same time before a notary at the out-of-state delivery location to sign this statement and have it notarized. The seller must retain the original of this statement to support any claimed exclusion or exemption from the California Sales and Use Table.

NOTICE TO SELLER

Please provide a copy of this statement to the purchaser and retain the original for your records. This transaction is subject to audit. We request that, within 30 days of the date of delivery to the purchaser, you send a copy of their statement and a copy of the purchaser provided to the contract to the address below. NOTE: Even if you deliver the vehicle to a point outside California, you remain responsible for collecting and remitting California use tax if you are aware that the purchaser is a California resident, unless you can establish that the vehicle was not purchased for use in California, or you accept, in good faith at the time of the sale, a completed CDTFA-447, Statement Pursuant to Section 6247 of the California Sales and Use Tax Law. If you obtain a completed CDTFA-447 from the purchaser, please include a copy of it when you send the documents noted above to thollowing address:

CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION
Consumer Use Tax Section | PO Box 942879 | Sacramento, CA 94279-0037

To be completed by the seller or person making the delivery on behalf of the seller. (blesse type or print)

www.cdtfa.ca.gov/formspubs/cdtfa448.pdf



Sales and Use Tax Return

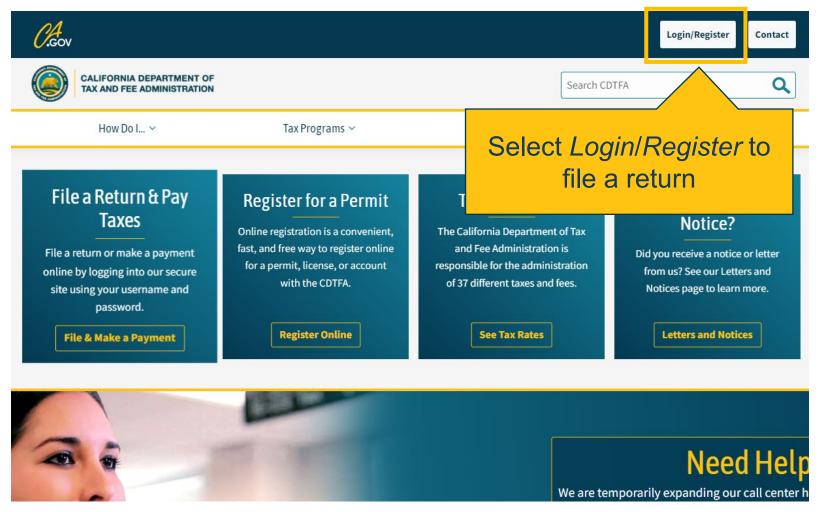
Scenario 4, 5, and 6

- 4. John sold \$40,000 worth of vehicles to customers residing in the City of Sacramento.
- 5. John sold \$35,000 worth of vehicles to customers residing in the City of Fairfield.
- 6. John sold \$36,000 worth of vehicles to customers residing in the City of Riverside.

These amounts will be used when determining district taxes due.



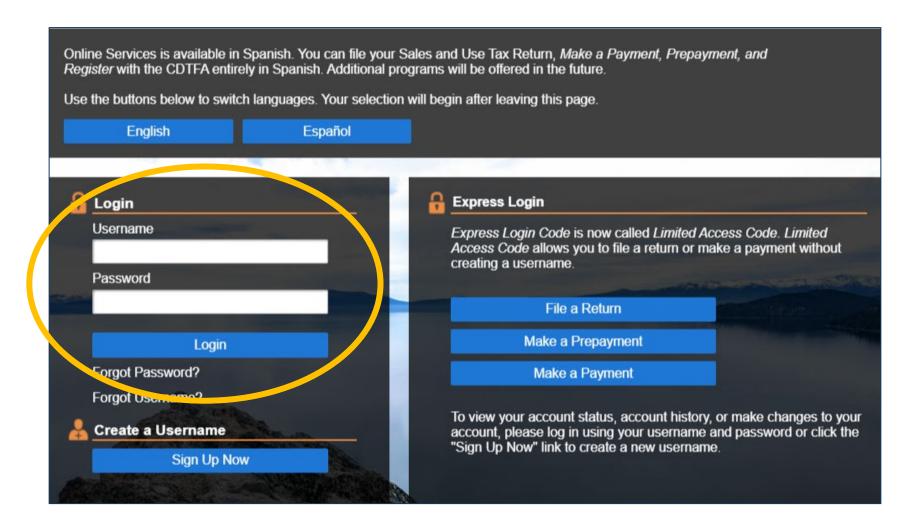
File a Return



www.cdtfa.ca.gov



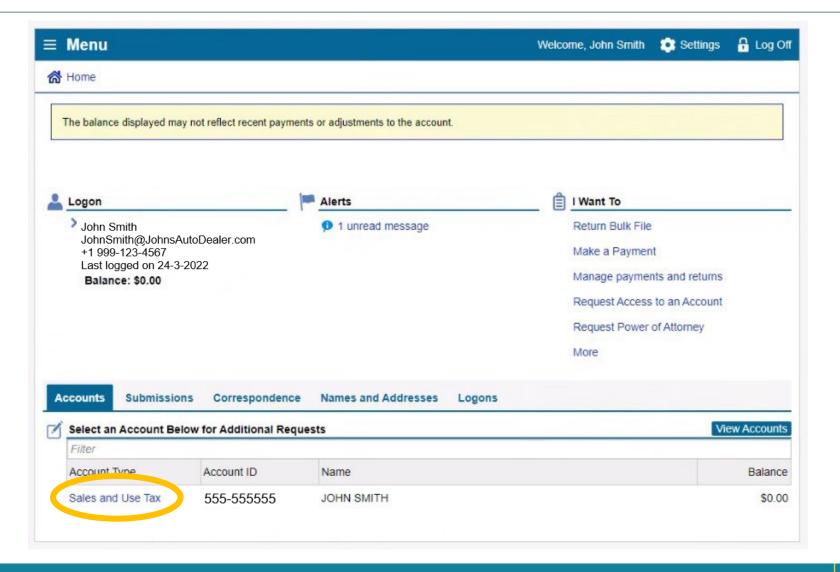
File a Return Logging In





File a Return

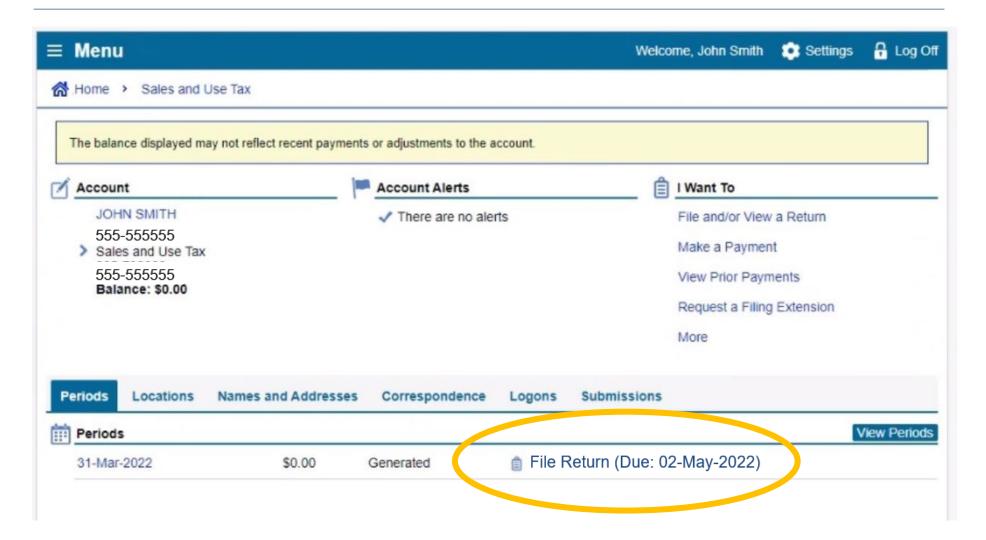
Account Home Screen





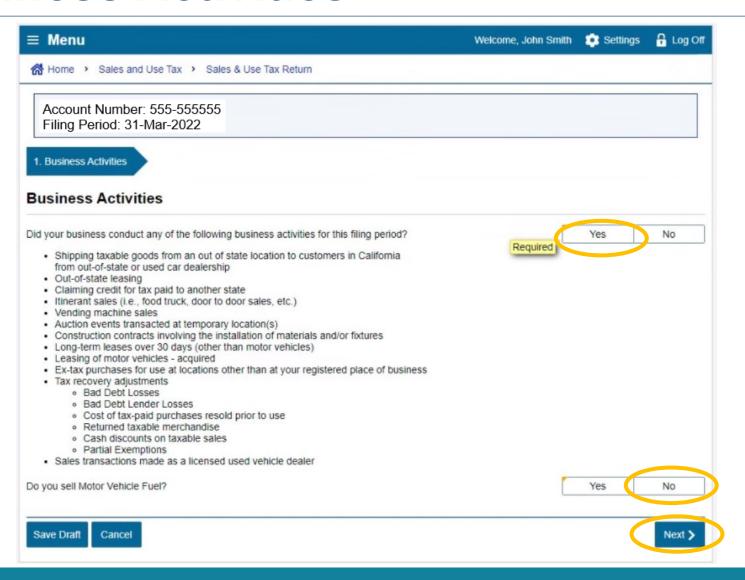
File a Return

Sales and Use Tax Account Detail



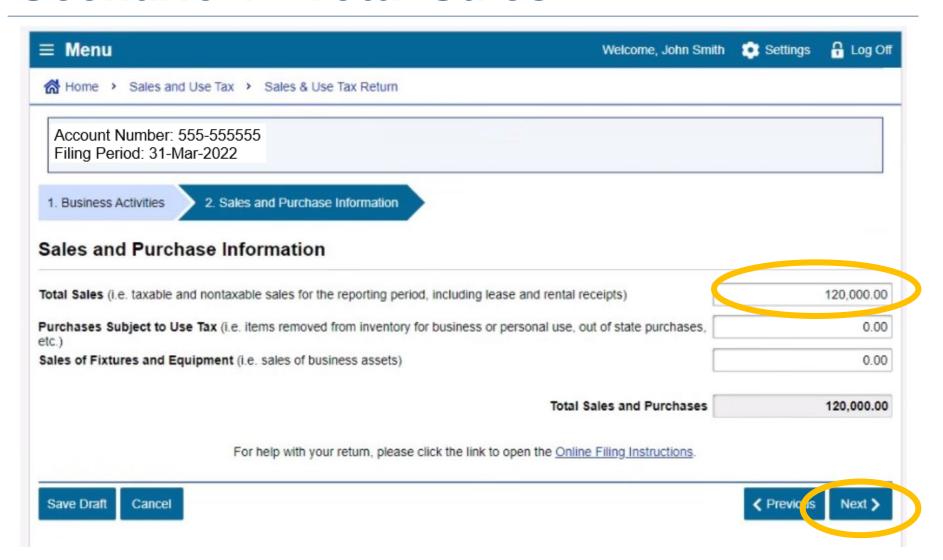


File a Return Business Activities





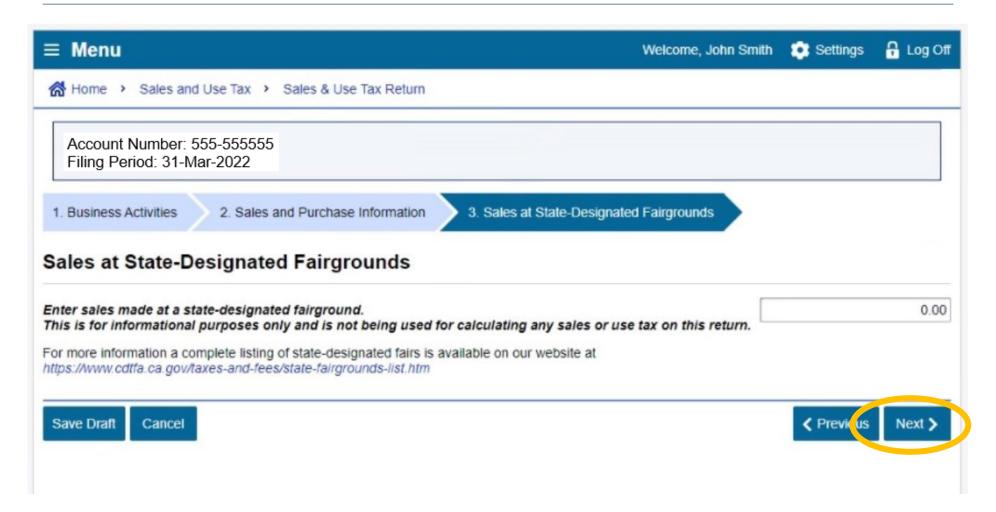
File a Return Scenario 1 - Total Sales





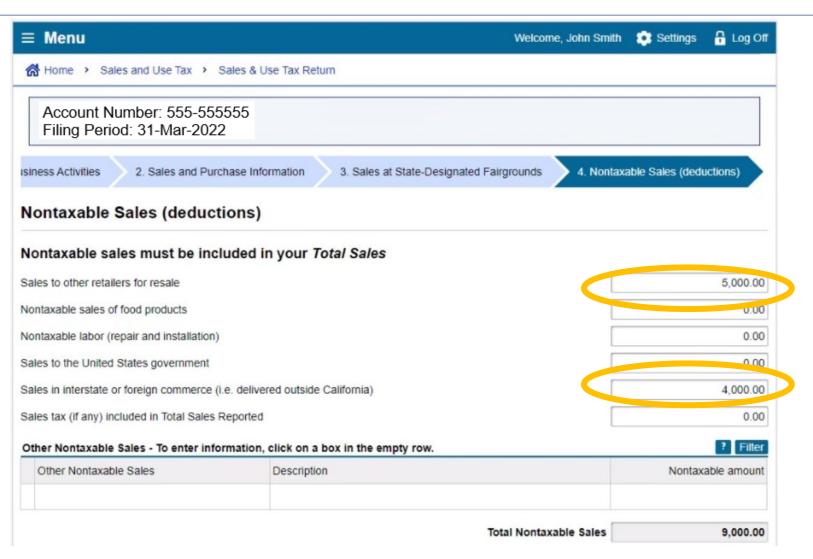
File a Return

State-Designated Fairgrounds Sales



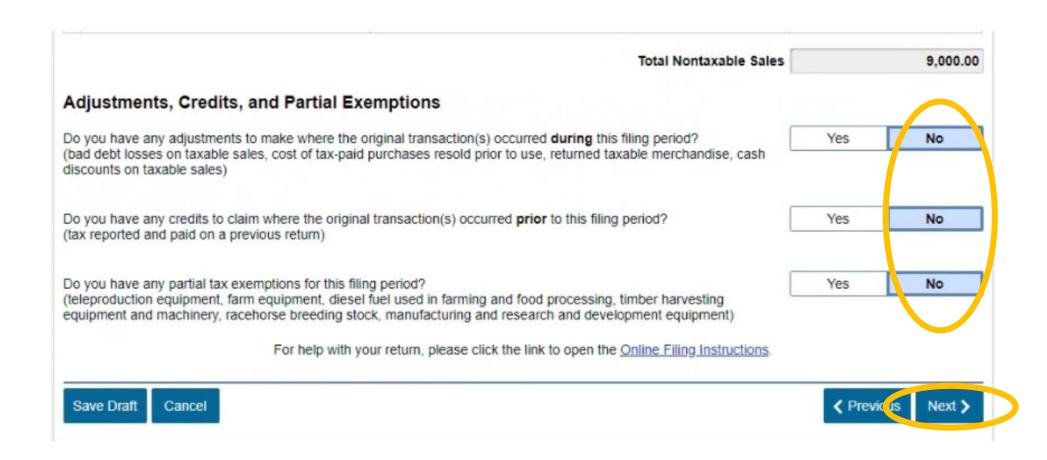


File a Return Scenario 2 and 3 - Deductions





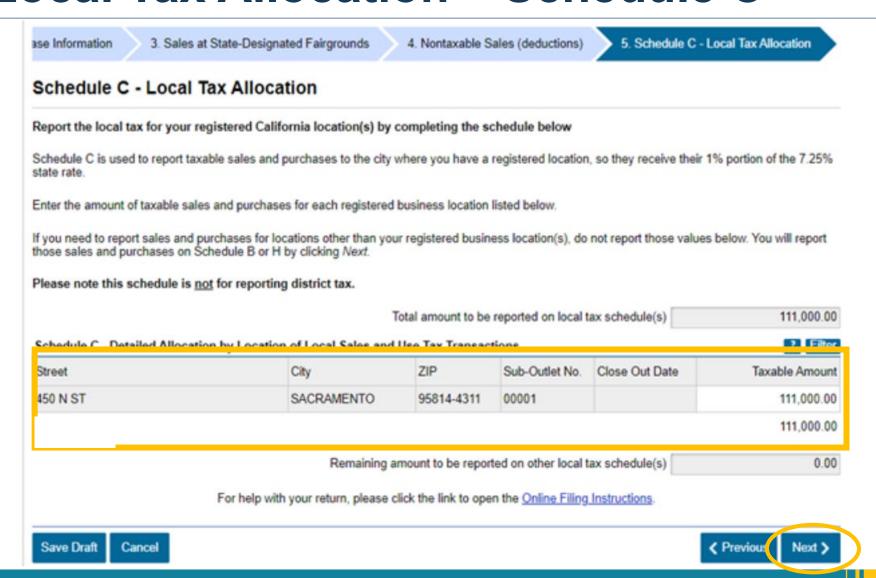
File a Return Deductions (continued)





File a Return

Local Tax Allocation – Schedule C





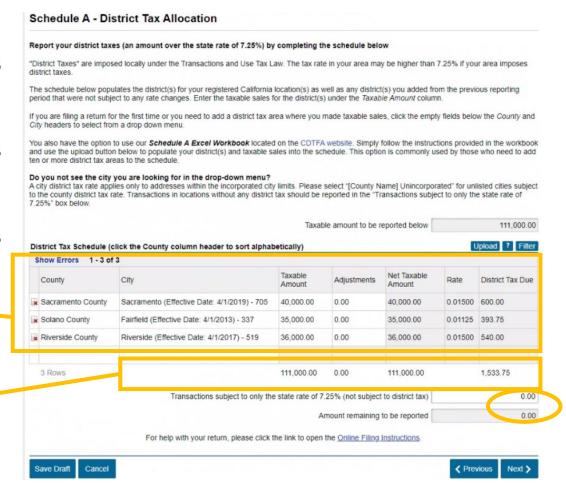
File a Return

District Tax Allocation – Schedule A

Scenarios:

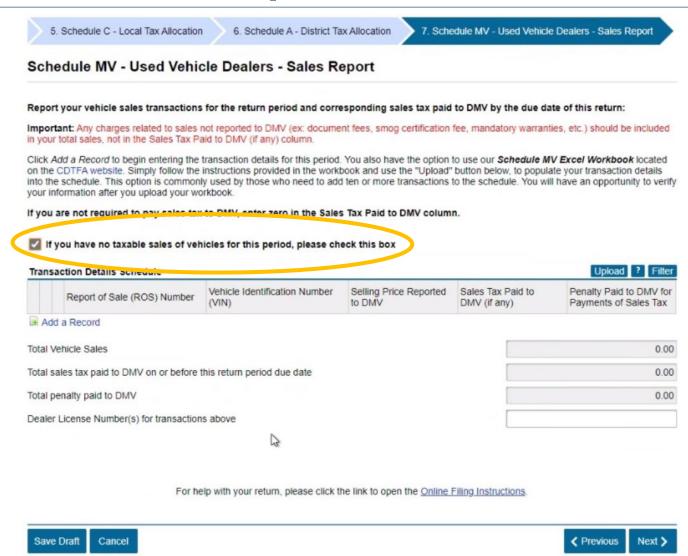
- 4. Sold \$40,000 worth of vehicles to customers residing in the City of Sacramento.
- 5. Sold \$35,000 worth of vehicles to customers residing in the City of Fairfield.
- 6. Sold \$36,000 worth of vehicles to customers residing in the City of Riverside.

Enter the total amount not in a district tax area *OR* in which you do not need to collect a district tax.

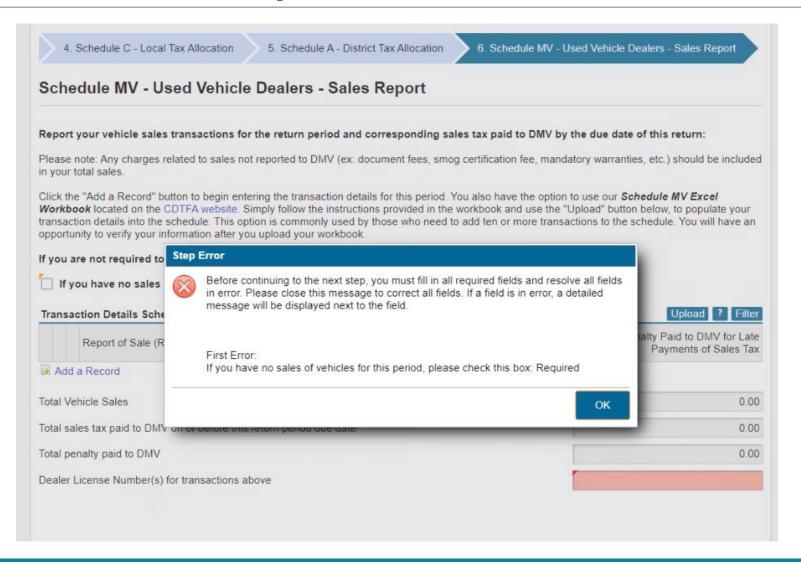




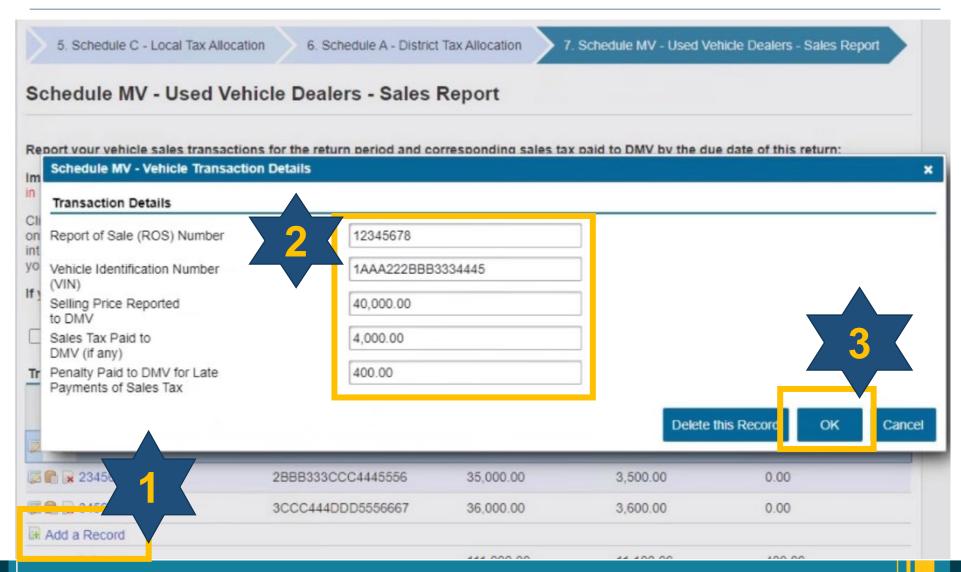
File a Return Schedule MV – Report Transaction Details



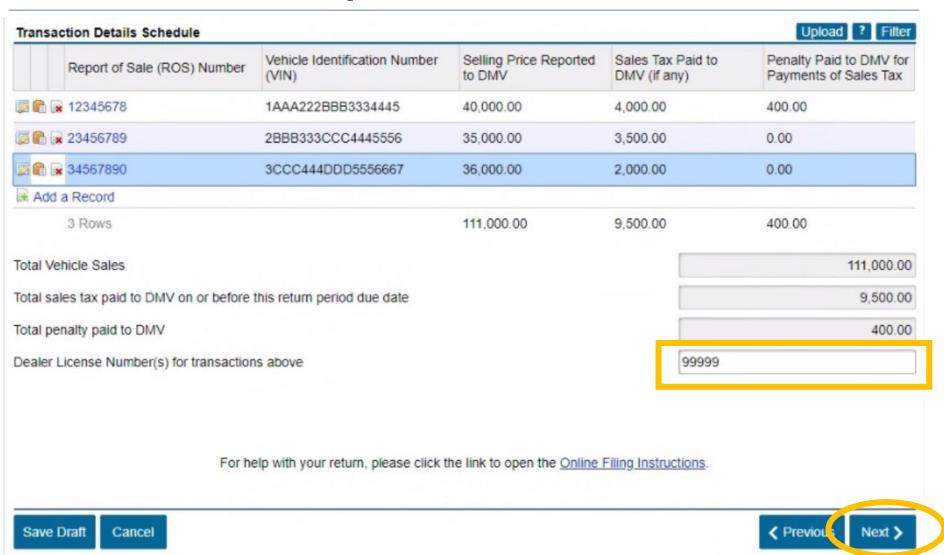






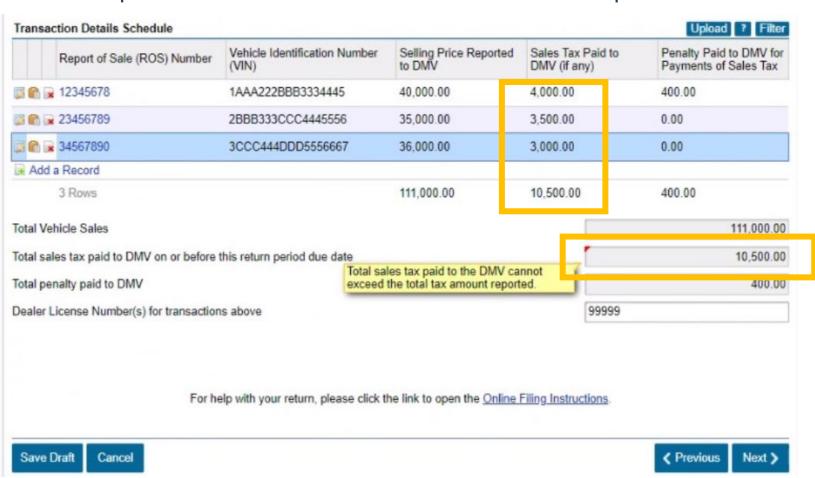








Total sales tax paid to DMV cannot exceed the tax amount reported to CDTFA.





File a Return

Example – Excess Tax Collected

Account Number: 555-55555 Filing Period: 31-Mar-2022

Allocation

6. Schedule A - District Tax Allocation

7. Schedule MV - Used Vehicle Dealers - Sales Report

8. Excess Tax Collected

Excess Tax Collected

If you have collected more sales tax from your customers than the amount due calculated on your return, enter the difference.

Excess tax collected can occur in the following situations:

- When tax is computed on a transaction which is not subject to tax;
- When tax is computed on an amount in excess of the amount subject to tax;
- · When tax is computed using a tax rate higher than the rate imposed by law and;
- When mathematical or clerical errors result in an overstatement of the tax on a billing.

Total Tax Due Before Credits (State, County, Local, and District)

Enter Excess Tax Collected

9,582.00

Total Tax 9,582.00

A full return summary can be found on the next page.

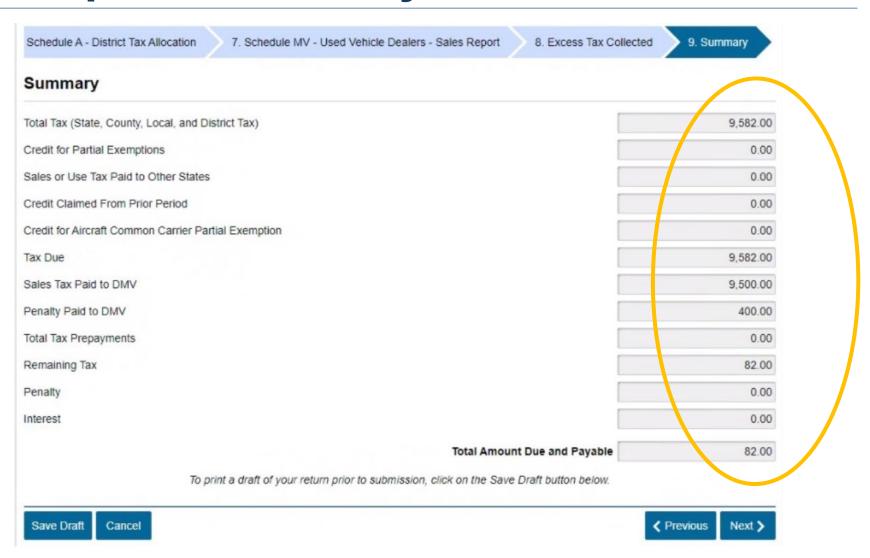
Save Draft

Cancel





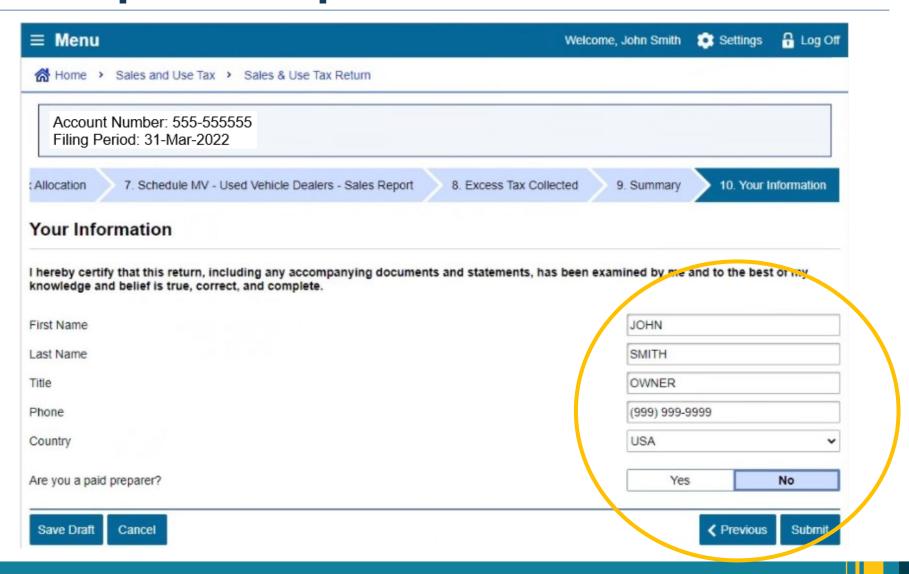
File a Return **Example – Summary**





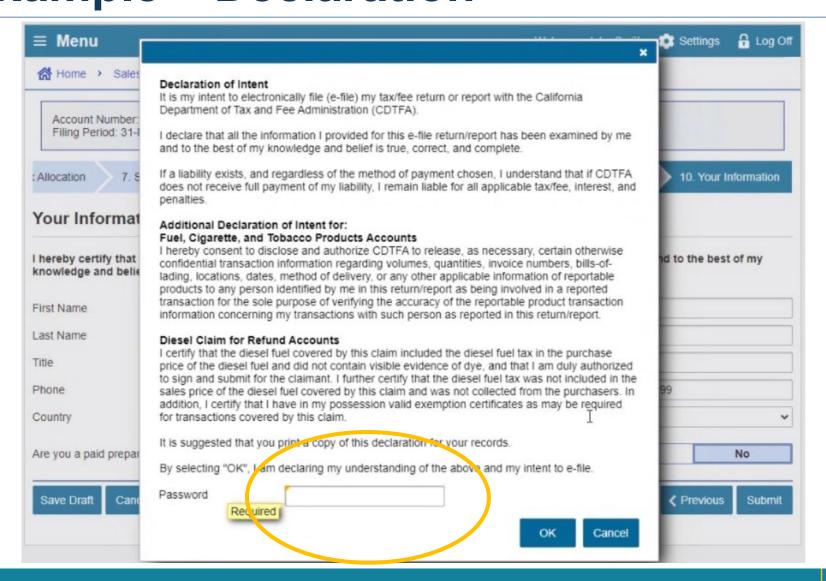
File a Return

Example – Preparer Information





File a Return Example – Declaration



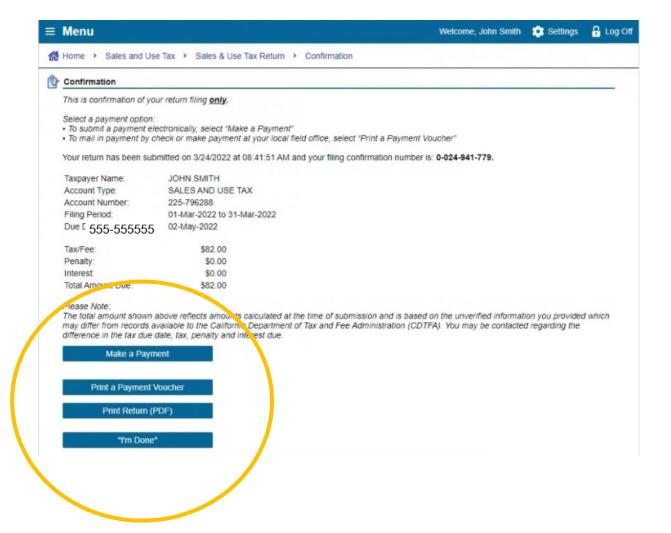


File a Return

Example – Sales and Use Tax Return Submission

Payment Options:

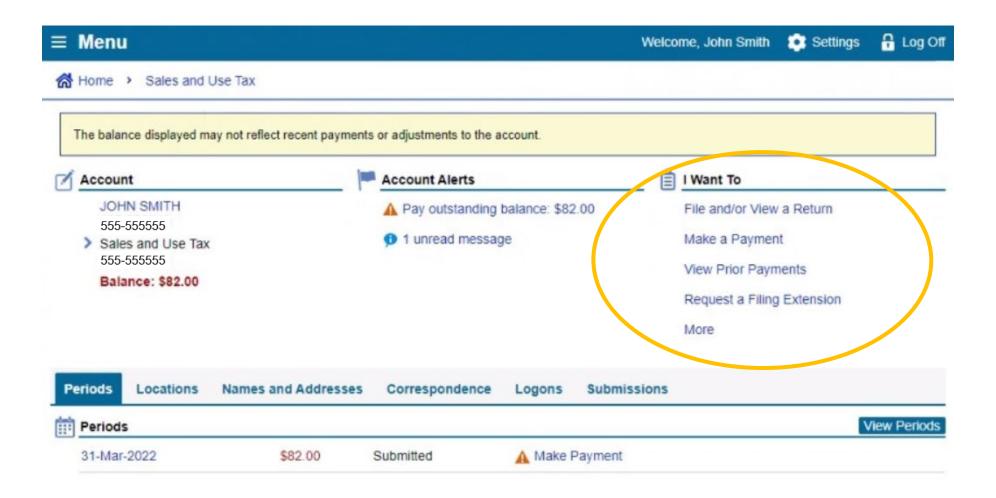
- Credit, debit, or ACH debit
- CheckOther Options:
- Print return
- Pay later





File a Return

Example – Sales and Use Tax Return Submission – I'm Done

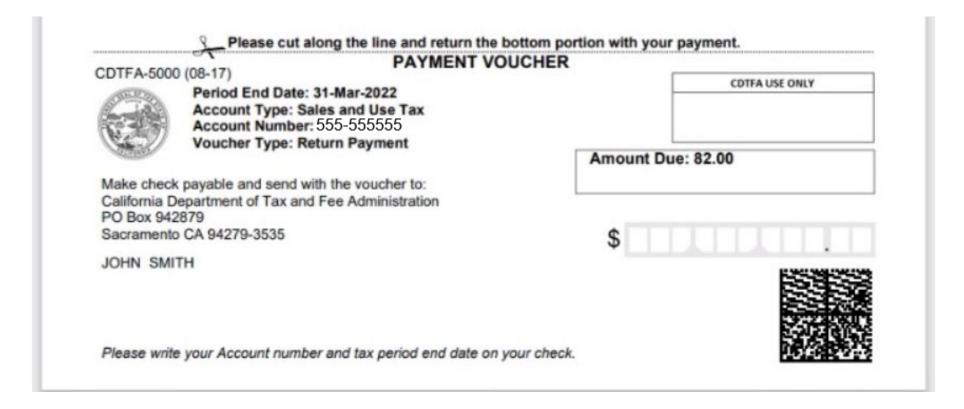




Make a Payment

Example – Paper Check Option

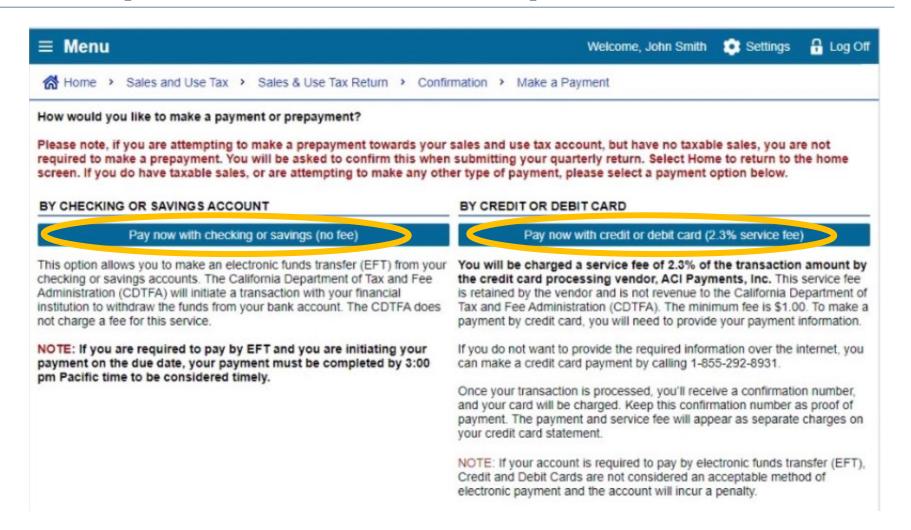
A payment voucher will print if you choose the *Print a Voucher* option on the *Confirmation* page.





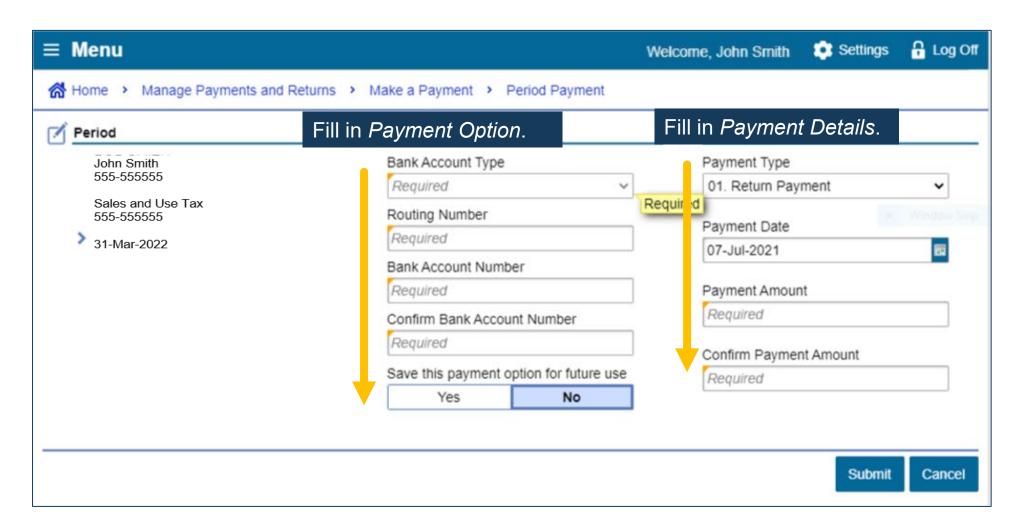
Make a Payment

Example – Electronic Options



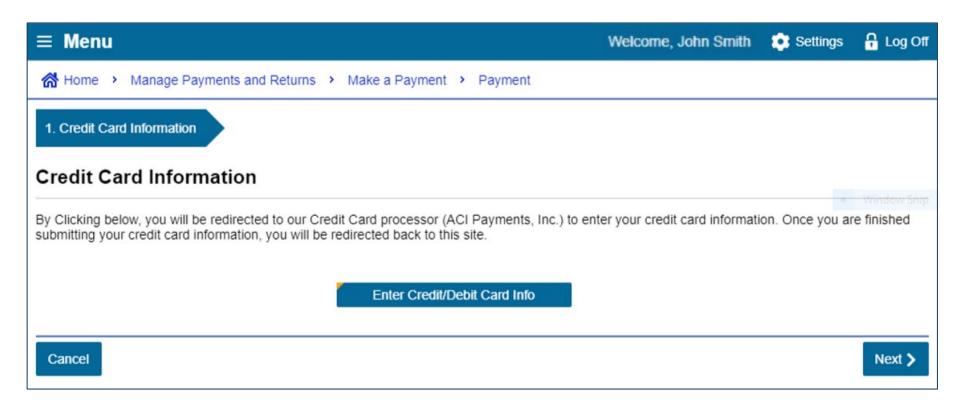


Make a Payment Example – Checking or Savings Account Option





Make a Payment Example – Credit Card Payment



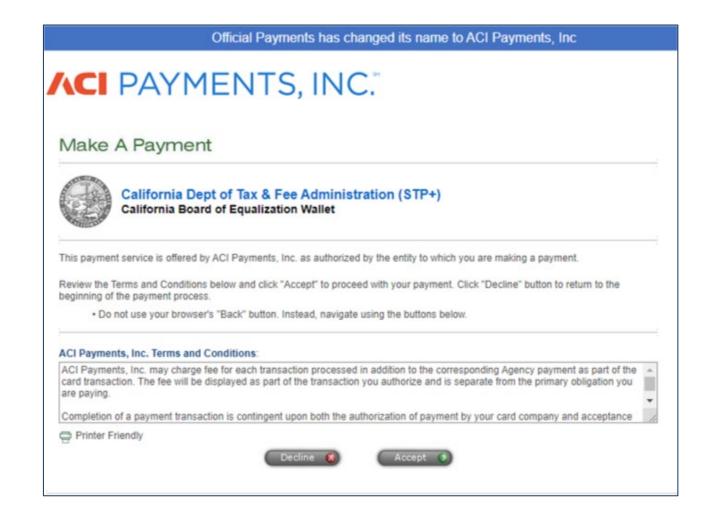


Make a Payment

Example – Credit Card Payment (continued)

Payments are made through the credit card vendor ACI Payments, Inc (ACI).

A 2.3 percent convenience fee is charged by ACI. This money does not come to the State.



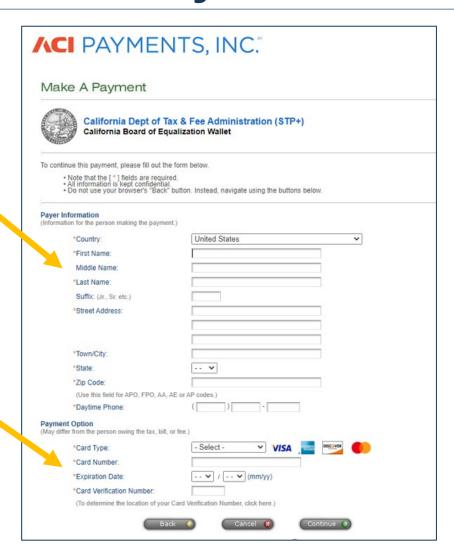


Make a Payment

Example - Credit Card Payment (continued)

Payer Information

Payment Option





For More Information

- For questions related to licensing, vehicle registration, and titling transactions, contact DMV at 1-800-777-0133.
- To verify whether you are required to pay sales tax to DMV, or to confirm receipt of tax payment to DMV, you may send an email inquiry to: DMVTAXINQ@dmv.ca.gov.
- For questions related to sales taxes, contact our Customer Service Center at 1-800-400-7115 (CRS:711). Customer service representatives are available Monday through Friday from 7:30 a.m. to 5:00 p.m. (Pacific time), except state holidays.



CDTFA Website

www.cdtfa.ca.gov

You may access our website for the following:

- Filing and Paying Your Taxes
- Industry Tax and Fee Guides
- Enhanced Video Tutorials
- Class and Seminar Schedules and Registrations
- Directory of CDTFA Offices
- Industry Specific Publications
- Tax News and Special Notices
- Email Notifications for CDTFA Updates
- Online Verification of Seller's Permit Numbers
- Credit Card Payments
- Useful Links to Other Websites



Taxpayers' Rights Advocate

1-888-324-2798

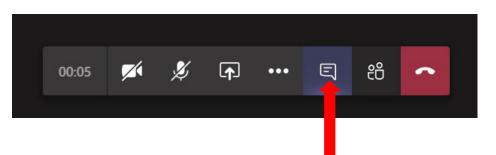
If you are unable to resolve any tax issues through normal channels with CDTFA or if you would like more information regarding your rights, contact the Taxpayers' Rights Advocate Office at www.cdfa.ca.gov/tra/.





Questions?







We wish you success in your business venture!