

STATE OF NEW MEXICO
TAXATION & REVENUE DEPARTMENT

COMBINED FUEL TAX REPORT
FOR DISTRIBUTORS, SUPPLIERS AND WHOLESALERS
Instructions

Electronic Filing
RPD-41306, *Combined Fuel Tax Reports*

All gasoline distributors, special fuel suppliers and wholesalers purchasing over 64,000 gallons of fuel per month will be required to electronically file their report Form RPD-41306, *Combined Fuel Tax Report*.

The Taxation and Revenue Department (TRD) offers three ways to file and pay the tax due on your *Combined Fuel Tax Report*, using Taxpayer Access Point (TAP). At <https://tap.state.nm.us/tap/>, you may file using the **Online**, **File Import** or **Bulk File** option.

- **Online:** Complete your report online in TAP.
- **File Import:** Complete a template with receipts, disbursements & locations and upload it using the **Import** functionality in TAP. The template is located here at <https://tap.state.nm.us/WebFiles/CombinedFuelTaxTemplate1.0.xlt>.
- **Bulk File:** Attach an XML file based on the schema provided by the Department by clicking on the **Upload XML Bulk File** link under the I WANT TO... section in the upper right corner of the page. See the frequently asked question number 4, in TAP to view the XML file.

Go to <https://tap.state.nm.us/tap/> to sign up today.

WHAT'S NEW

Effective July 1, 2014

New legislation passed (House Bill 288) that adds a deduction from the petroleum products loading (PPL) fee for biodiesel loaded in, or imported into New Mexico, and delivered to a rack operator for subsequent blending or resale by a rack operator.

Other Changes

Beginning June 16, 2014, the Department is able to accept the new *Schedule Type 6J*, electronically.

Beginning July 1, 2014, the deduction provided in Section 7-16A-10(H)(1) NMSA 1978, for special fuel received in New Mexico that consists of at least 99% vegetable oil or animal fat is no longer available.

New Mexico has added *Product Type* codes.

On Forms RPD-41306B, *Schedule of Receipts*, and RPD-41306C, *Schedule of Disbursements*, New Mexico added the *Product Types* for biodiesel products B02, B05, B20, B99, or B00. Also added, is the *Product Type* D05 for dyed biodiesel.

The *Product Type* code to be used for ethanol has changed. Ethanol must be reported using *Product Type* E00, E75 or E85. Product Type 123 is no longer used when reporting ethanol.

AMENDED COMBINED FUEL TAX REPORT

Only submit applicable schedules with amended reports. Do not include schedules that do not support the changes. Indicate "Amended" at the top of the schedule and attach with amended report.

SPECIAL PAYMENT METHODS REQUIRED

A taxpayer, whose average tax liability for the preceding calendar year is equal to or exceeds \$25,000, is required to make payment by special payment methods. See Publication FYI 401, *Special Payment Methods*. Special payment methods include paying electronically using automated clearinghouse (ACH) deposit, Fedwire transfer, or when available, online electronic payment options using VISA, MasterCard, American Express or electronic check. The result of the payment must be that funds are immediately available to the state of New Mexico on or before the due date. Payments may also be made with a check drawn on any New Mexico financial institution provided that the check is received by the Santa Fe office at least one banking day prior to the due date, or the check is drawn on any domestic non-New Mexico financial institution provided that the check is received by the Santa Fe office at least two banking days prior to the due

date. You may use one of the special payment methods if your tax liability was less than \$25,000 per month, but it is not required.

WHO IS REQUIRED TO FILE THE COMBINED FUEL TAX REPORT

- New Mexico registered distributors and/or suppliers, who purchase fuel in New Mexico from a terminal, import fuel into New Mexico, transport fuel off an Indian reservation, or produce or blend biodiesel fuels are required to file. To maintain a "registered distributor or supplier status", *Combined Fuel Tax Reports* must be filed.
- Terminal operators in New Mexico who either retain fuel for their own use or sell to a person not registered as a New Mexico distributor or supplier are required to file.
- Out-of-state terminal operators located in a state that imposes fuel taxes at the terminal level and billing the New Mexico destination tax are required to file.
- Wholesalers are required to file and report purchases of acquired fuel and subsequent sale for information purposes only. A wholesaler is a person not bonded or registered as a New Mexico distributor or supplier who buys bulk quantities of fuel for resale. Wholesalers who fail to file a monthly information report by the 25th day of the month following the end of the report period will be assessed a \$50 penalty.

WHEN IS THE REPORT DUE

Form RPD-41306, *Combined Fuel Tax Report*, is due on or before the twenty-fifth (25th) day of the month following the end of the report period.

GENERAL INSTRUCTIONS FOR COMPLETING THE REPORT AND SCHEDULES

- First complete a Schedule RPD-41306B, *Schedule of Receipts*, for each type of receipt; and a Schedule RPD-41306C, *Schedule of Disbursements*, for each type of disbursement. For each *Product Type*, you must complete a separate *Schedule Type*.
- Complete Form RPD-41306, *Combined Fuel Tax Report*, page 2. Complete the heading, and transfer the total gallons reported from each *Schedule Type* and for each *Product Type* to Form RPD-41306, page 2 using the form and these instructions to guide you.
- On Form RPD-41306, *Combined Fuel Tax Report*, page 2, complete computation lines 5, 9, 13, 23 and 25 according to instructions. For

each column, when instructed, transfer entries on page 2 to Form RPD-41306, page 1.

- Complete Form RPD-41306, *Combined Fuel Tax Report*, page 1, per instructions.
- If gasoline and ethanol blended are reported in columns 1 and 2 on line 11, page 2, complete Form RPD-41306A, *Schedule of Gasoline and Ethanol Blended Fuel Sales Delivered into Municipalities or Counties by Final Destination Point*; see the instructions on page 15.

Schedule of Receipts

GENERAL INSTRUCTIONS – For Schedule of Receipts

- Complete the heading on the schedule.
- Each *Schedule Type* is described at the top of the schedule and is included in the *Schedule Type Instructions* that follow. Identify the *Schedule Type* by entering the corresponding numeric code in the heading.
- For each *Schedule Type* mark the appropriate box indicating the *Product Type* reported on the schedule.
- The *Product Types* are listed at the top of the schedule. For each *Product Type*, you must complete a separate *Schedule Type*.
- If you are reporting for a product other than the product codes listed, mark the box for "Other products" and enter the *Product Type* code, in the space provided on the schedule.
- For additional information regarding *Product Types*, see the section on *FTA Product Codes* at the end of these instructions.
- If multiple pages are needed for a *Schedule Type*, enter the page number and the total number of pages.

Separate schedules must be completed for each *Product Type* and each *Schedule Type*.

COLUMN INSTRUCTIONS - For Schedule of Receipts

Columns 1 & 2 - Carrier Name and FEIN.

Column 3 - Mode: Enter the mode of transport from the terminal. (J = Truck, R = Rail)

Column 4 - Point of Origin/Destination: Enter the city and state of origination and destination.

Column 5 – Seller Terminal # or Name: If buying from a terminal, enter the terminal code. If buying from a distributor or supplier, enter the name of the distributor or supplier.

Column 6 - Seller FEIN: Enter seller FEIN.

Column 7 - Date Fuel Received.

Column 8 - B O L Number: Enter the original Bill of Lading number. Do not enter an invoice number.

Column 9 - Net Gallons: If reporting transactions in net gallons, enter the net gallons received, or

Column 10 - Gross Gallons: If reporting transactions in gross gallons, enter the gross gallons received.

Taxpayers must consistently report either net or gross gallons. Approval must be obtained to change the net or gross method of reporting.

SCHEDULE TYPE INSTRUCTIONS - For Schedules of Receipts

For each *Schedule Type*, complete one line for each load of fuel purchased during the report month. For each *Schedule Type*, enter the total gallons for each *Product Type* in the appropriate column on page 2 of the *Combined Fuel Tax Report*.

SCHEDULE TYPE 1 – Gallons acquired tax paid

Report both - gallons acquired from a New Mexico registered distributor and/or supplier in New Mexico and gallons acquired tax paid in Texas.

SCHEDULE TYPE 1A - Gallons received in New Mexico and tax paid at a Texas Terminal

Report gallons received by the New Mexico taxpayer upon importation and tax paid at a Texas terminal. The taxpayer upon importation into New Mexico may deduct tax paid gallons from a Texas terminal and sold in a subsequent non-taxable transaction on lines 14 through 22.

SCHEDULE TYPE 2A - Gallons received from terminal operator

Report all fuel purchased from New Mexico fuel terminals.

SCHEDULE TYPE 2B - Gallons produced and/or blended

Report all gallons blended from other materials (including bio-mass and 99% vegetable oil or animal fat) to produce fuel. This may be fuel that is blended or produced at any location.

SCHEDULE TYPE 2C - Gallons received when transported off Indian land.

Report all fuel transported off New Mexico Indian land.

SCHEDULE TYPE 3 - Gallons imported from another state

Report all fuel imported into New Mexico from another state. Do not include fuel purchased from a Texas terminal on which New Mexico tax was paid.

SCHEDULE TYPE 4 - Gallons imported directly into NM Indian land – tax exempt

Report all fuel imported directly into Indian land in New Mexico from another state.

Schedule of Disbursements

GENERAL INSTRUCTIONS – For Schedule of Disbursements

- Complete the heading on the schedule.
- Each *Schedule Type* is described at the top of the schedule and is included in the *Schedule Type Instructions* that follow. Identify the *Schedule Type* by entering the corresponding numeric code in the heading.
- For each *Schedule Type* mark the appropriate box indicating the *Product Type* reported on the schedule.
- The *Product Types* are listed at the top of the schedule. For each *Product Type*, you must complete a separate *Schedule Type*.
- If you are reporting for a product other than the product codes listed, mark the box for "Other products" and enter the *Product Type* code, as defined by FTA, in the space provided on the schedule.
- For additional information regarding the *Product Types*, see the section on *FTA Product Codes* at the end of these instructions.
- If multiple pages are needed for a *Schedule Type*, enter the page number and the total number of pages.

Separate schedules must be completed for each *Product Type* and each *Schedule Type*.

COLUMN INSTRUCTIONS – For Schedule of Disbursements

Columns 1 & 2 - Carrier Name and FEIN.

Column 3 - Mode: Enter the mode of transport from the terminal. (J = Truck, R = Rail)

Column 4 - Point of Origin/Destination: Enter the city and state of origination and destination.

Column 5 – Purchaser Name: If buying from terminal, enter the terminal code. If buying from a distributor and/or supplier, enter the name of the distributor and/or supplier.

Column 6 - Purchaser FEIN: Enter your customer's FEIN.

Column 7 - Date Fuel Shipped.

Column 8 - B O L Number: Enter the original Bill of Lading number or invoice number.

Column 9 - Net Gallons: If reporting transactions in net gallons, enter the net gallons disbursed or sold, or

Column 10 - Gross Gallons: If reporting transactions in gross gallons, enter the gross gallons disbursed or sold.

Taxpayers must consistently report either net or gross gallons. Approval must be obtained to change the net or gross method of reporting.

SCHEDULE TYPE INSTRUCTIONS - For Schedule of Disbursements

For each *Schedule Type*, complete one line for each load of fuel sold during the report month. For each *Schedule Type*, enter the total gallons sold for each *Product Type* in the appropriate column on page 2 of the *Combined Fuel Tax Report*.

SCHEDULE TYPE 5A - Gallons sold to retailers/consumers in New Mexico – New Mexico taxable sales

Report all fuel sold to retailers and consumers in New Mexico. Complete one line on the schedule for each load of fuel sold during the report month.

IMPORTANT: For sales of gasoline or ethanol blended to retailers in New Mexico, Form RPD-41306A, *Schedule of Gasoline and/or Ethanol Blended*

Fuel Sales Delivered into Municipalities or Counties by Final Destination Point, must be completed.

If gallons of fuel were sold to retail stations owned by the taxpayer filing this report, attach a copy of this schedule to the *Fuel Retailer Report*, Form RPD-41308.

SCHEDULE TYPE 5B - Gallons sold to distributors, suppliers, wholesalers – tax included

Report all fuel sold, tax included, to New Mexico registered distributors and suppliers or to wholesaler.

SCHEDULE TYPE 6J – Gallons of biodiesel delivered to a New Mexico terminal

Report biodiesel, B99 and B00, delivered to a New Mexico terminal. *Effective July 1, 2014, these gallons are no longer subject to Petroleum Products Loading Fee and must not be added on line 14 of page 1 of the Combined Fuel Tax Report.*

On or after July 1, 2014, only report the special fuel deduction for the receipt of biodiesel fuel to rack operators for blending and resale on line 22, page 2 of Form RPD-41306, *Combined Fuel Tax Report*, and *Schedule Type 6J*, RPD-41306C, *Schedule of Disbursements*. The deduction provided in Section 7-16A-10(H)(1) for special fuel received in New Mexico that consists of at least 99% vegetable oil or animal fat is not available after June 30, 2014.

SCHEDULE TYPE 7 - Gallons exported out of New Mexico

Report all fuel exported either directly or indirectly and sold outside of New Mexico. Complete one line on the schedule for each load of fuel exported during the report month.

SCHEDULE TYPE 8 - Gallons sold to U.S. Govt., NATO or Indian tribes for their exclusive use (direct or indirect)

Report all fuel sold either directly or indirectly to the U.S. Government, the NATO Force, or to an Indian Nation, Pueblo or Tribe for their exclusive use.

SCHEDULE TYPE 9 - Gallons sold to NM state and local governments for their exclusive use (direct or indirect)

Report undyed special fuel sold either directly or indirectly to New Mexico state or local government entities for their exclusive use in government business. These gallons are subject to Petroleum Products Loading Fee and must be added on line 14 of page 1 of the *Combined Fuel Tax Report*.

SCHEDULE TYPE 10T - Gallons sold at retail on Indian land by a registered Indian tribal distributor

Report all gasoline and ethanol blended fuel sold by a registered Indian tribal distributor at retail on Indian land on which tribal tax has been paid.

SCHEDULE TYPE 6V - Gallons sold at retail on Indian land by other than a registered Indian tribal distributor

Report all gasoline and ethanol blended fuel sold at retail on Indian land on which tribal tax has been paid by a person other than a registered Indian tribal distributor or retailer. These gallons are subject to Petroleum Products Loading Fee and must be added on line 14 of page 1 of the *Combined Fuel Tax Report*.

SCHEDULE TYPE 10F - Gallons of undyed special fuel sold for off-road use

Report all undyed special fuel sold for off-road use. Do not include undyed special fuel sold for use in school buses. Gallons of special fuel sold for school bus use is reported on a *Schedule Type 10G*. The gallons sold for off-road use are subject to gross receipts tax. These receipts must be reported on a CRS-1 Return.

SCHEDULE TYPE 10G - Gallons of undyed and dyed special fuel sold for school bus use

Report all undyed and dyed special fuel sold for use in school buses. The gallons sold for use in school buses are subject to gross receipts tax and must be reported on Form CRS-1. These gallons are subject to Petroleum Products Loading Fee and must be added on line 14 on page 1 of the *Combined Fuel Tax Report*.

SCHEDULE TYPE 10A – Gallons of dyed gasoline and ethanol blended and special fuel sold (Do not include gallons sold for school bus use)

Report dyed gasoline, ethanol blended and special fuel sold during the month. The gross receipts received for these gallons sold must be reported on Form CRS-1. Do not include dyed special fuel sold for use in school buses. Gallons of special fuel sold for school bus use is reported on *Schedule Type 10G*.

**Form RPD-41306, page 2, Combined Fuel Tax Report
Instructions**

- Complete the header.
- **Transfer the totals** from all schedules RPD-41306B, *Schedule of Receipts*, and RPD-41306C, *Schedule of Disbursements*, as

indicated in the instructions for each *Schedule Type* and *Product Type*.

- **Lines 5, 9, 13, 23 and 25** are computation lines. For each column, follow the instructions on the form to compute the amount to be reported on these lines, and transfer the amounts to Form RPD-41306, page 1, when instructed.

In the Deductions section, on Form RPD-41306, page 2, (lines 14 through 22) report sales of gallons sold in a non-taxable transaction from line 5, *Total taxable gallons received*, and sales of gallons sold in a non-taxable transaction from line 7, *Gallons received in New Mexico and tax paid at a Texas terminal*. NOTE: Non-taxable sales of gallons reported in line 6, *Gallons acquired tax paid*, may not be reported in the Deductions section on page 2, Form RPD-41306.

Line 6, on page 2 of Form RPD-41306, *Combined Fuel Tax Report*, and Schedule 1, report both - gallons acquired, tax paid, in New Mexico from a distributor and/or supplier **and** gallons acquired in Texas, tax paid. Do not include gallons from line 7, page 2 of Form RPD-41306, *Combined Fuel Tax Report*.

Line 7, on page 2 of Form RPD-41306, *Combined Fuel Tax Report*, and Schedule 1A, report gallons received by the New Mexico taxpayer upon importation and tax paid at a Texas terminal. The taxpayer upon importation into New Mexico may deduct tax paid gallons from a Texas terminal, and sold in a subsequent non-taxable transaction on lines 14 through 22.

Line 24, on page 2 of Form RPD-41306, *Combined Fuel Tax Report*, report non-taxable gallons that were acquired from another distributor and/or supplier in New Mexico. Do not include gallons acquired in New Mexico in the Deductions section; this is only for information and inventory reconciliation. Instead of taking a deduction, you must request a credit for gallons sold in a non-taxable transaction from the first receiver in New Mexico.

Form RPD-41306, page 1, Combined Fuel Tax Report Instructions

- Mark the appropriate box to indicate whether this is an original or amended report.
- Enter the report month and year.

- Enter the Federal Employer ID Number (FEIN) or CRS ID number of the business.
- Enter the name and mailing address of the business.
- Mark the appropriate box(es) for the type of business.
- Mark the appropriate box to indicate whether you report on a gross or net gallon basis (must be consistent and must obtain approval to change).

INVENTORY RECONCILIATION (lines 1-6)

- Do not include dyed diesel (special fuels) gallons sold in the Inventory Reconciliation section, lines 1 through 6 on Form RPD-41306, page 1. Dyed diesel gallons sold are reported on line 10, Form RPD-41306, page 2.

Line 1 - Beginning physical inventory: Enter the total number of gallons of each product in inventory on the first day of the report month. These amounts must agree with the previous month's ending inventory. Reminder: Do not include dyed diesel in the inventory reconciliation.

Line 2 - Receipts: Enter the number of gallons of each product purchased during the report month from line 9 on page 2 of the *Combined Fuel Tax Report*.

Line 3 – LESS: Disbursements: Enter the total number of gallons of each product sold during the report month from line 25 on page 2 of the *Combined Fuel Tax Report*.

Line 4 – Transfers and prior-period adjustments:

- **Transfers:** Blenders use this line to transfer gallons in inventory from one fuel type to another.
- Prior-period adjustments:** When making a prior-period adjustment to inventory for indirect deductions, subtract the gallons for which a deduction is entered on the current report. Report a difference between physical and book inventories on line 5.

Line 5 - Gain or (loss): Add gains or subtract losses in inventory due to expansion or evaporation of fuel, or other factors such as acts of God or human error. Also use this line to report a difference between your physical and book inventories. Retain an explanation for the gain or loss reported on this line in your records.

Line 6 - Ending physical inventory: For each column, compute the total number of gallons in inventory. The number must match the total number of

gallons of each product in physical inventory on the last day of the report month. The number must also agree with beginning physical inventory on the next month's report.

CALCULATION OF TAX (lines 7 through 19a)

Line 7 - Total taxable gallons received: Enter the number of gallons of taxable fuel received during the report month from line 5 on page 2.

Line 8 – LESS: Sales of non-taxable gallons: Enter the number from line 25 on page 2.

Lines 9 and 11 through 13 – For each column, follow the line instruction on the form.

Line 10 – Fuel tax rate

Line 14 – Deductible gallons subject to PPLF: Gallons sold or deducted on Form RPD-41306, page 2, lines 10, 16, 18, and 20, are subject to the Petroleum Products Loading Fee (PPLF) and are deducted from gasoline or special fuel excise tax. Include the number of gallons of:

- Dyed special fuel gallons sold for use in school buses, from line 10, page 2;
- Gallons of special fuel sold either directly or indirectly to New Mexico state and local governments for their exclusive use in government business from line 16, page 2;
- Gasoline and ethanol blend sold at retail on Indian land by other than a registered Indian tribal distributor, from line 18, page 2;
- Undyed special fuel sold for school bus use reported on line 20, page 2;

These gallons are subject to the petroleum products loading fee.

Lines 15 through 18 – For each column, follow the line instruction on the form.

For Line 17 – The minimum penalty of \$5.00 imposed for failure to timely file and pay the return, will apply only once per return. If the sum of line 17, all columns is less than \$5.00, enter \$5.00 in the first column only.

Lines 19a – Tax, penalty and interest due for each column

For each column, add lines 16, 17 and 18.

Lines 19b – Overpayment

To obtain a refund of the overpayment of tax, attach a completed Form RPD-41071, *Application for Tax Refund*, to Form RPD-41306, *Combined Fuel Tax Report*.

Line 20 – Wholesalers late filing penalty: Wholesalers, who file Form RPD-41306, *Combined Fuel Tax Report*, after the due date, are subject to a \$50 late filing penalty. Enter \$50.00 on line 20 for a late report.

Line 21 - Total due – payment amount: Add the total of the tax due amounts from columns 1, 2 and 3, line 19A. For wholesalers only: enter any late filing penalty on line 20 of this form.

Line 22 – Total paid with this report: Enter total amount paid with this return. If tax was paid through ACH, enter 0.

The report must be signed by the owner or authorized agent. Complete the signature block.

Schedule RPD-41306A, Schedule of Gasoline and Ethanol Blended Fuel Sales Delivered into Municipalities or Counties by Final Destination Point

This schedule is used to determine distribution of funds to New Mexico counties and municipalities. Please read all instructions carefully before completing this schedule.

- Enter the FEIN or CRS ID number.
- Enter the name of the business.
- Enter the month and year that the fuel sales occurred.

Gallons sold to retailers and consumers in New Mexico, reported on line 11, page 2 of Form RPD-41306 (from Schedule RPD-41306C, *Schedule of Disbursements*, and *Schedule Type 5A*) must be transferred to this schedule. Report only the gasoline and ethanol blended *Product Types* on Schedule RPD-41306A.

For each municipality or county location listed, enter the number of gallons sold to retailers and consumers in that location. Do not enter negative amounts. You may not make an adjustment on this schedule for a sale that occurred in a prior period. An adjustment for a sale that occurred in a prior report period must be made by filing an amended Schedule RPD-41306A for the report period in which the error occurred.

To file an **amended Schedule RPD-41306A**, complete the schedule with the number of gallons and heading information that should have been reported for the report period in which the error occurred, write the words "Amended" at the top of the schedule and attach it to your current period report and schedules.

To complete Schedule RPD-41306A, enter the sum of the gallons reported as sold for each location on the last line of the schedule, "Total gallons". Verify that this amount equals the sum of line 11, Column 1 plus line 11, Column 2, on Form RPD-41306, *Combined Fuel Tax Report*, page 2.

If you have any questions, please call the Fuel Tax Unit in Santa Fe at 505-827-0765.

Mail your report and accompanying schedules to the address shown at the top of Form RPD-41306, *Combined Fuel Tax Report*, page 1. The envelope must be postmarked by the 25th of the month following the month that the fuel was purchased in order to avoid penalties and interest.

IMPORTANT: A taxpayer whose average tax liability for the preceding calendar year is equal to or exceeds \$25,000, is required to make payment by special payment methods. See Publication FYI 401, *Special Payment Methods*. Special payment methods include paying electronically using automated clearinghouse (ACH) deposit, Fedwire transfer, or when available, online electronic payment options using VISA, MasterCard, American Express or electronic check. The result of the payment must be that funds are immediately available to the state of New Mexico on or before the due date. Payments may also be made with a check drawn on any New Mexico financial institution provided that the check is received by the Santa Fe office at least one banking day prior to the due date, or the check is drawn on any domestic non-New Mexico financial institution provided that the check is received by the Santa Fe office at least two banking days prior to the due date. You may use one of the special payment methods if your tax liability was less than \$25,000 per month, but it is not required.

FTA PRODUCT CODES

For reporting the *Product Type* on the *Schedule of Receipts* and the *Schedule of Disbursements*, for Form RPD-41306, *Combined Fuel Tax Reports*, use one of the following product codes.

Gasoline	065
Gasohol	123
Diesel fuel – undyed	160
Diesel fuel – dye added	228
Biodiesel	B02, B05, B20, B99, B00
Dyed Biodiesel	D05
Ethanol	E75, E85, E00

If you need to file a report for a different type of fuel, mark the box for *Other products* and enter the *Product Type* code for the product.

For Motor Fuel *Product Type* codes, visit the FTA website at www.taxadmin.org.