

United States Department of the Interior, Fred A. Seaton, Secretary
Fish and Wildlife Service, Arnie J. Suomela, Commissioner

Fishery Leaflet 468

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EXCISE TAX EXEMPTIONS GRANTED TO FISHERMEN ^{1/}

Exemptions in the nature of tax relief are granted to fishermen from the payment of certain excise taxes under both Federal and State statutes.

Provisions of Federal Statutes

Section 4222 of the Internal Revenue Code of 1954 specifically provides that manufacturers excise taxes on miscellaneous articles and retailers excise taxes on special motor fuels shall not be imposed "upon any article sold for use as fuel supplies, ships' stores, sea stores, or legitimate equipment onvessels employed in the fisheries or in the whaling business....."

Exempt articles are listed below under appropriate headings describing the particular tax:

1. Manufacturers Excise Tax (see Chapter 32 of the 1954 Internal Revenue Code).

Tires and innertubes; automobile parts and accessories, radio receiving sets, television receiving sets, phonographs, radio and television components, phonograph records, and musical instruments; mechanical refrigerators, quick-freeze units, and self-contained air-conditioning units; sporting goods, electric, gas, and oil appliances, certain cameras, camera lenses, and film in rolls, business and store machines, electric light bulbs and tubes; firearms,

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NOTE: This leaflet contains information summarized from Federal and State tax statutes. For details on the manner of claiming exemptions or obtaining refunds, direct reference must be made to the statutes and regulations of the administrative agencies concerned.

shells, and cartridges; mechanical pencils, fountain and ball point pens, and mechanical lighters for cigarettes, cigars, and pipes; matches; gasoline; lubricating oils.

2. Retailers Excise Tax (see Section 4041 (b), Chapter 31, of the 1954 Internal Revenue Code).

Gasoline, kerosene, gas oil or fuel oil and diesel oil^{2/} for use as fuel for the propulsion of a motor vehicle, motor boat, or airplane.

Provisions of State Statutes

Gasoline supplies in marine uses are exempt from the tax burden in a substantial number of States. In some of these States gasoline taxes may actually be collected but are refunded when proof concerning use is furnished. The Bureau of Public Roads of the United States Department of Commerce has compiled a list of the States which provide for the tax exemption (respectively for the refund of taxes paid) of gasoline supplies in marine uses. The listing which is reproduced below shows that among major fish-producing states only Alabama, Florida, Mississippi, and Texas fail to provide for this exemption.

Gasoline in Marine Use Subject to Exemption from, or Refund of, State Taxes

Listing of States

<u>State</u>	<u>State</u>	<u>State</u>	<u>State</u>
Arizona	Illinois	Montana	Oregon
California	Indiana	New Hampshire	Rhode Island
Colorado	Louisiana	New Jersey	South Carolina
Connecticut	Maine	New Mexico	Virginia
Delaware	Maryland	New York	Washington
Georgia	Massachusetts	North Carolina	West Virginia
Idaho	Michigan	Ohio	District of Columbia

^{2/} Diesel oil is subject originally to tax only when used in a highway vehicle.