

FTA MOTOR FUEL UNIFORMITY COMMITTEE

Austin, Texas

January 14, 2010

Minutes

The FTA Motor Fuel Tax Section Uniformity Committee met at the Marriott North at Round Rock, Texas on January 14, 2010. Marcia Leichner, (NE) Uniformity State Chair called the meeting to order. Thirty-one (31) were in attendance. (See attached list of attendees)

Minutes

The minutes of the September 2009 Uniformity Committee meeting in Oklahoma City, Oklahoma were approved.

Presentation

Martin Cano with the State of Texas gave a presentation on what is going on in Texas in Fuel Tax Evasion.

Uniformity Chairs

State Co-Chair Marcia Leichner – State of Nebraska
Industry Co-Chair Bob Donnellan – Global Companies

Subcommittee Chairs

Compliance Subcommittee

State Co-Chair Jeremy Neeck, State of Minnesota
Industry Co-Chair Sharon Templin – Shell Oil

Communication and Coordination Subcommittee

State Co-Chair Christy Dixon – State of Oklahoma
Industry Co-Chair Natalie Cabla, Exxon Mobil

Electronic Commerce Subcommittee

State Co-Chair Traci Bullock – State of South Carolina
Industry Co-Chair Gene Holland, ConocoPhillips

Forms Management Subcommittee

State Co-Chair Lee Gonzales, State of Florida
Industry Co-Chair Scott Louie – Chevron

Subcommittee Reports

The Compliance Subcommittee Jeremy Neeck (MN) reported there were twenty-three (23) in attendance. The committee discussed the following:

Training

Advanced Audit Class held in Raleigh, North Carolina, October 18-22, 2009.
(18 in attendance)

Advanced Fraud Class will be held January 24-28, 2010 in Austin, Texas

Basic Training Class will be held August 1-5, 2010 in Portsmouth, Virginia

Advanced Training Class will be held August 22-26, 2010 in Savannah, Georgia

Dyed Diesel Stats

The new dyed fuel statistics spreadsheet was reviewed and it was suggested that we could add what vehicles are in violation and what industry they are from.

Biodiesel/Ethanol Guide

This is being incorporated with the Communication and Coordination's subcommittee project.

Biodiesel Matrix

This is being incorporated with the Communication and Coordination's subcommittee project

Internal Revenue Service

The IRS gave an update on compliance issues they are dealing with. Such things as renewable diesel fuel and black liquor.

Pennsylvania's Import/Export Project

Pennsylvania was unable to attend but a report of PA Import/Export project was discussed.

(See the minutes of this subcommittee for more details)

The **Electronic Commerce Subcommittee** Traci Bullock (SC) reported there were twenty-eight (28) in attendance. The subcommittee discussed the following:

California Proposed Report Code

California request to establish "DLR" for Jet Fuel Dealer Report.

ExSTARS User Group

Update on the 4030 Data Review Analysis was discussed. The majority of the files continue to be 826's. Kansas showed a decrease in 813 files and Mississippi showed an increase of 813 files

EC Survey

The survey for 2009/2010 was presented and reviewed.

ExSTARS Update

The product codes will not be changed to the EIA codes at this time. Everyone was ecstatic!!

(See the minutes of this subcommittee for more details)

The **Forms Management Subcommittee** Scott Louie (Chevron) reported that this committee met with Electronic Commerce. There were twenty-eight (28) in attendance. The subcommittee discussed the following:

Combined Supplier, Transporter, Terminal Report

The committee will be working on the summary report for these schedules.

Producer's Report

Instead of adding a new return to the uniformity guide, verbiage will be added to the uniformity guide that would direct states to use the existing format of the supplier or distributor return currently in the uniformity guide.

Uniformity Booklet

Reviewed the Retail Report, Bulk Dealer Report and Distributor Fuel Tax Report and recommended a few modifications to the forms. The Common and Contract Petroleum Report had a few suggestions and will be presented at the next meeting.

(See the minutes of this subcommittee for more details)

Approved by the Full Committee

Changes to the Uniformity Guide

Modifications to the following reports:

Retailer Fuel Report

Bulk Dealer Report

Distributor Fuel Tax Report

Schedules

Change schedule 3X from “Imports below the terminal rack” to “Imports below the terminal rack subject to tax”

Add schedule 3Y “Imports below the terminal rack not subject to tax”

The **Communication and Coordination Subcommittee** Christy Dixon (OK) reported that twenty-two (22) were in attendance. The subcommittee discussed the following and the January 2010 *Uniformer* was passed out. (See minutes for the publication)

White papers

Price (tax) indexing & sales tax on motor fuel

Model Legislation for Points of Taxations

Bill of Lading

Annual Booklet that contains

State Contact Information

State Point of Taxation

State Tax Rates

Rate Updates

Collection Allowance

Alternative Fuels

Diversions

Taxability & Tax rates for Biodiesel and Ethanol

Definitions

Shipping Documents

Racing Fuel

Renewable Fuel

(See the minutes of this subcommittee for more details)

Approved by the Full Committee

White Paper

Motor Fuel Tax Calculation Methods – Adjustable Rates

Other Business

Mal Bruce, Canadian Fuel Tax Council gave a report on what the Council has been working on.

Training Subcommittee:

FTC will provide at least two courses each year

Communications Subcommittee

The Council has established a website www.fueltaxcouncil.com

Uniform Reporting

Ontario is moving forward with E-Filing in spring 2010, they are the only Province at this time.

Cindy Anders-Robb, FTA requested that all minutes from this meeting and the agenda for the April 2010 be submitted by February 28, 2010.

Marcia Leichner and Bob Donnellan again requested for any ideas for presentations.

New Business

No new business

Next Meeting

The next Uniformity Committee meetings are scheduled as follows:

April 21-22, 2010 – Oklahoma City, Oklahoma

September 10-11, 2010 – Helena, Montana

The meeting was adjourned.