

CHAPTER 51. MOTOR VEHICLES

- Sec.
51.1. Purchases of replacement parts by automobile dealer.
51.2. Use of automobiles other than for resale; evidence.
51.3. Rental of vehicles.
51.4. Remittances for payment of sales tax on certain vehicles.

Source

The provisions of this Chapter 51 adopted September 8, 1972, effective September 9, 1972, 2 Pa.B. 1686, unless otherwise noted.

§ 51.1. Purchases of replacement parts by automobile dealer.

The purchase by an automobile dealer of replacement parts which he is to install in automobiles which are being reconditioned by him prior to resale is exempt from tax as a purchase for resale.

Source

The provisions of this § 51.1 adopted September 8, 1972, effective September 9, 1972, 2 Pa.B. 1686.

§ 51.2. Use of automobiles other than for resale; evidence.

(a) Under the recent Federal law, known as the Automobile Information Disclosure Act, Pub. L. No. 85-506, 72 Stat. 325, commonly referred to as the "Truth in Labeling Act", automobile dealers are prohibited from removing truth-in-labeling stickers from new automobiles, except when the dealers intend to use the automobiles for their own personal use in which case the automobiles are not considered to have been purchased by them for resale purposes. New automobile means an automobile to which the equitable or legal title has never been transferred by a manufacturer, distributor or dealer to an ultimate purchaser.

(b) An automobile dealer's possession of a new automobile, without the stickers may be considered presumptive evidence that the dealer is using the automobile for purposes other than resale and shall be therefore, required to pay use tax on the purchase price of the automobile unless it is established to the satisfaction of the Department that the automobile from which the sticker has been removed was in fact purchased for resale.

Source

The provisions of this § 51.2 adopted September 8, 1972, effective September 9, 1972, 2 Pa.B. 1686.

§ 51.3. Rental of vehicles.

(a) Motor vehicle rental concerns maintaining a place of business in the Commonwealth under section 201(b) of the act of March 4, 1971 (P. L. 6, No. 2) (72 P. S. § 7201(b)) shall collect tax on rental payments which are attributable to

leases executed in the Commonwealth or to leases in which the motor vehicles involved are delivered to the lessee or otherwise used by the lessee in the Commonwealth.

(b) A credit in the amount of tax paid to another state shall be granted in accordance with section 206 of the act against tax liability incurred under the act by lessees or lessors of motor vehicles with respect to the use in this Commonwealth of vehicles which have been subject to similar tax in another state.

Source

The provisions of this § 51.3 adopted September 8, 1972, effective September 9, 1972, 2 Pa.B. 1686.

§ 51.4. Remittances for payment of sales tax on certain vehicles.

(a) With respect to purchases of motor vehicles from persons registered in the dealer class as defined in 75 Pa.C.S. §§ 101—9701, sales tax shall be remitted to the Department either by the purchaser or the registered dealer.

(b) With respect to purchases from persons other than registered dealers, the Department of Transportation will accept a check or draft for payment of sales tax only if the applicant's name appears on the check or draft either in the capacity of the drawer or alternatively, as a payee with a special endorsement to the Commonwealth of Pennsylvania. The type of check or draft which is acceptable on purchases from nonregistered dealers is illustrated by the following examples. In both of the following illustrations the applicant is the party to whom the certificate of title will be issued.

(1) *Applicant as a drawer.*

B. Bank	No. _____	Date _____
Pay to the order of Commonwealth of Pennsylvania		\$ _____
X and 00/xx _____		Dollars
	Applicant	

(2) *Applicant as a payee.*

B. Bank	No. _____	Date _____
Pay to the order of A. Applicant		\$ _____
X and 00/xx _____		Dollars
	I. Otto Deal	

Special Endorsement to the Commonwealth of Pennsylvania
(Reverse Side of Check)

Pay to the order of Commonwealth of Pennsylvania	_____
	Applicant

(c) The applicant is responsible for payment of the sales tax. If payment of the tax is made with a check issued by someone other than the purchaser and the check is uncollectible, the purchaser remains personally liable for the tax.

(d) A check for sales tax shall be made payable to “Commonwealth of Pennsylvania” and sent along with Form MV-4ST, Vehicle Sales and Use Tax Return/Application for Registration to: Pennsylvania Department of Transportation, Bureau of Motor Vehicles, Box No. 8593, Harrisburg, Pennsylvania 17105.

Authority

The provisions of this § 51.4 amended under section 270 of the Tax Reform Code of 1971 (72 P. S. § 7270).

Source

The provisions of this § 51.4 adopted September 8, 1972, effective September 9, 1972, Pa.B. 1686; amended July 28, 1989, effective July 29, 1989, 19 Pa.B. 3166. Immediately preceding text appears at serial pages (40394) and (89219).

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