

**Statement of Transaction — Sale or Gift of Motor Vehicle,
Trailer, All-Terrain Vehicle (ATV), Vessel (Boat), or Snowmobile****Instructions**

This is a New York State sales tax return. The new owner's social security number, taxpayer identification number (TIN), or federal employer identification number (EIN) is required.

Use this form to report the purchase of a vehicle or boat when sales tax was not collected at the time of purchase or when the vehicle or boat was received as a gift. If the donor/seller is not required to complete Section 6, the new owner must have a copy of the bill of sale signed by the seller.

The seller or donor must complete Section 6 if:

- the motor vehicle is a gift to a person other than a spouse, parent, child, stepparent, or stepchild
- the motor vehicle is sold below fair market value to a person other than a spouse, parent, child, stepparent, or stepchild
- the trailer, ATV, boat, or snowmobile is a gift
- the trailer, ATV, boat, or snowmobile is sold below fair market value

If for any reason you must obtain a registration or title before you can establish the amount of tax due based on the less than fair market value purchase price, you may obtain tax clearance by paying the tax due based on the fair market value as established by the Tax Department. If this results in an overpayment, you may apply to the Tax Department for a refund or credit of the amount overpaid.

Submit the completed form to your local motor vehicle issuing office.

Note:

- If you are claiming an exemption other than a gift, use Form DTF-803 instead.
 - If you are claiming credit for taxes paid to another state, use Form DTF-804 instead.
 - If you are registering more than one motor vehicle for the same taxing jurisdiction, use Form DTF-805 instead.
- If you need information or forms, go to our Web site at www.tax.ny.gov. Forms are also available by calling (518) 457-5431.

Section 1 — Vehicle information

| | | | | |
|---|----------------------------------|------------------------------|--|---|
| Type of vehicle (mark one box) | | | | |
| <input type="checkbox"/> Motor vehicle | <input type="checkbox"/> Trailer | <input type="checkbox"/> ATV | <input type="checkbox"/> Snowmobile | <input type="checkbox"/> Boat (length in feet): _____ ft. |
| Year | Make | Model | Identification number | |
| Delivery location (complete only for an ATV or snowmobile) | | | | |
| City | | County | | |
| Storage / use location (complete only for an ATV or snowmobile) | | | Do you have a residence in this county? (If Yes, see Tax rate note in Section 5) | |
| City | | County | | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Section 2 — New owner information

| | | | |
|--|--|--------------------------------|---------------------------|
| Last name, first name, middle initial or business name | | Social security number/TIN/EIN | |
| Number and street address | | City, state, and ZIP code | County |
| Business address (if commercial vehicle) (number and street) | | | City, state, and ZIP code |

Section 3 — Previous owner information

| | | | |
|--|--|---------------------------|--------|
| Last name, first name, middle initial or business name | | EIN (if applicable) | |
| Number and street address | | City, state, and ZIP code | County |

Section 4 — Transaction information

| | | | | | | | |
|---------------------------------------|---|---------------------------------|---------------------------------|--------------------------------|-------------------------------------|------------------------------------|--|
| Date of transaction mm / dd / yyyy | Relationship of new owner to previous owner (mark one box) | | | | | | |
| | <input type="checkbox"/> None | <input type="checkbox"/> Spouse | <input type="checkbox"/> Parent | <input type="checkbox"/> Child | <input type="checkbox"/> Stepparent | <input type="checkbox"/> Stepchild | <input type="checkbox"/> Other (describe): _____ |
| This transaction is a (mark one) | | | | | | | |
| <input type="checkbox"/> | Gift of a motor vehicle to a person other than spouse, parent, child, stepparent, or stepchild. (donor must complete Section 6) | | | | | | |
| <input type="checkbox"/> | Purchase of a motor vehicle at below fair market value by a person other than spouse, parent, child, stepparent, or stepchild. (seller must complete Section 6) | | | | | | |
| <input type="checkbox"/> | Gift of a trailer, ATV, boat, or snowmobile (donor must complete Section 6) | | | | | | |
| <input type="checkbox"/> | Purchase of a trailer, ATV, boat, or snowmobile at below fair market value (seller must complete Section 6) | | | | | | |
| <input type="checkbox"/> | None of the above | | | | | | |

For office use only

| | | | | | | | |
|------|----------|--------|-------------------|--------------------------|----------|----------|----------|
| Date | Initials | Office | Fair market value | Audit | Tax Rate | Tax paid | Term no. |
| | | | | <input type="checkbox"/> | % | | |

Section 5 — Purchase information

| | | | |
|--|-----------|-------|--------------|
| | | Value | |
| 1 Purchase price | | | |
| a. Amount of cash payment..... | 1a | \$ | |
| b. Balance of payments assumed..... | 1b | \$ | |
| c. Value of property given, traded, or swapped, or services performed instead of cash payment... | 1c | \$ | |
| d. Purchase price (total of lines 1a, 1b, and 1c)..... | | | 1d \$ |

2 Was this transaction the purchase of a motor vehicle from your spouse, parent, child, stepparent, or stepchild?

Yes (enter 0 on line 4; no tax is due)
 No (continue to line 3)

3 Tax rate* (enter as a decimal).....

| | |
|----------|----|
| 3 | |
| 4 | \$ |

4 Sales tax due (multiply line 1d by line 3).....

5 Is the amount on line 1d lower than fair market value?

Yes (seller/donor must complete Section 6)
 No (sign certification below)

* **Tax rate note:** For a motor vehicle, trailer, or boat, use the tax rate of the new owner's place of residence. If the purchaser is a resident in two or more counties in the state, use the rate in effect in the place where the motor vehicle, trailer, or boat will be principally used or garaged. If the new owner is a business, use the tax rate of the place of business. If the business has locations in two or more counties in the state, use the rate in effect in the place where the motor vehicle, trailer, or boat will be principally used or garaged. For an ATV or snowmobile, use the higher rate of where the new owner took delivery, or where the vehicle is stored or used if new owner has a residence in storage/use locality.

Purchaser certification — I certify that the above statements are true and complete; and I make these statements with the knowledge that willfully issuing a false or fraudulent statement with the intent to evade tax is a misdemeanor under Tax Law section 1817(b), and Penal Law section 210.45, punishable by a fine up to \$10,000 for an individual and \$20,000 for a corporation.

| | |
|-----------|------|
| Signature | Date |
|-----------|------|

If this form is submitted by someone other than the new owner/lessee, please provide the following:

| | |
|--------------------|---|
| Name/business name | Social security number, TIN, or federal EIN |
| Address | |

Section 6 — Affidavit of sale or gift of a motor vehicle, trailer, ATV, vessel (boat), or snowmobile

The seller or donor must complete if:

- the motor vehicle is a gift to a person other than a spouse, parent, child, stepparent, or stepchild
- the motor vehicle is sold below fair market value to a person other than a spouse, parent, child, stepparent, or stepchild
- the trailer, ATV, boat, or snowmobile is a gift
- the trailer, ATV, boat, or snowmobile is sold below fair market value

6 Cash payment received.....

| | |
|----------|----|
| 6 | \$ |
|----------|----|

7 If, as a condition for the sale or gift of the vehicle or boat, the purchaser/recipient did any of the following in addition to, or in lieu of, a cash payment, please mark an **X** in the appropriate box and indicate the value of the service or goods you received.

| | | | |
|--|--|-----------|----|
| | | Value | |
| a Performed any service..... | <input type="checkbox"/> Yes <input type="checkbox"/> No | 7a | \$ |
| b Assumed any debt..... | <input type="checkbox"/> Yes <input type="checkbox"/> No | 7b | \$ |
| c Traded/swapped a vehicle or other property..... | <input type="checkbox"/> Yes <input type="checkbox"/> No | 7c | \$ |
| d Total selling price (total of lines 6, 7a, 7b and 7c)..... | | 7d | \$ |

8 Complete only if a corporation or business is the seller/donor

- a Was or is the purchaser/recipient an employee, officer, or stockholder of the company/corporation?..... Yes No
- b Was the transaction part of any terms of employment, employment contract, or termination agreement?..... Yes No

9 If you answered Yes to any part of line 7 or line 8, please provide an explanation: _____

Seller/Donor certification — I have reviewed the information on Form DTF-802 and I certify that the statements are true and complete. I make these statements with the knowledge that willfully issuing a false or fraudulent statement with the intent to evade tax is a misdemeanor under Tax Law section 1817(b) and Penal Law section 210.45 punishable by a fine up to \$10,000 for an individual and \$20,000 for a corporation.

| | | |
|-----------|-------------------------|------|
| Signature | Name (printed or typed) | Date |
|-----------|-------------------------|------|

Privacy notification — The Commissioner of Taxation and Finance may collect and maintain personal information pursuant to the New York State Tax Law, including but not limited to, sections 5-a, 171, 171-a, 287, 308, 429, 475, 505, 697, 1096, 1142, and 1415 of that Law; and may require disclosure of social security numbers pursuant to 42 USC 405(c)(2)(C)(i).

This information will be used to determine and administer tax liabilities and, when authorized by law, for certain tax offset and exchange of tax information programs as well as for any other lawful purpose.

Information concerning quarterly wages paid to employees is provided to certain state agencies for purposes of fraud prevention, support enforcement, evaluation of the effectiveness of certain employment and training programs and other purposes authorized by law.

Failure to provide the required information may subject you to civil or criminal penalties, or both, under the Tax Law.

This information is maintained by the Manager of Document Management, NYS Tax Department, W A Harriman Campus, Albany NY 12227; telephone (518) 457-5181.