



Oregon Department of Transportation

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USE FUEL SELLERS

Due to industry changes regarding the use of cardlock cards, the Oregon Department of Transportation wants to clarify use fuel seller reporting requirements as specified in Oregon Revised Statutes (ORS) 319.665 and change our current practices to comply with the statute. Because this may require some changes for our sellers, ODOT will make the following changes effective July 1, 2013.

The changes and the affect they may have on filing your tax reports and accompanying schedules are listed below:

Clarification on reporting transactions when a cardlock card is used. The card issuer will report the gallons sold and remit the appropriate tax for all transactions using the cardlock card, regardless of whether the fuel is sold at retail or non-retail sites.

Cardlock operations: Will still complete schedule 1 (for Oregon locations) and schedule 3, listing customer information and gallons purchased with tax status. The only change will be reporting all transactions, regardless of the type of location.

Retail operations will have few changes. Complete schedule 1 and schedule 2 for regular retail locations. If your retail operation accepts cardlock cards as a form of payment, you may deduct fuel purchases made with a cardlock card from your retail transactions (enter as ex-tax sales on schedule 2) if you provide ODOT with:

- a) A monthly statement from a cardlock card issuer that details the cardlock card purchases at the retail facility; and
- b) A listing of cardlock card issuers and gallons of fuel purchased at the retail facility by the issuers' customers.

The detail of all cardlock transactions listed in (a) above is the equivalent of the ex-tax sales documentation. This information should be retained with your other seller report information for at least three years.

The summary by card issuer listed in (b) above will need to be provided with your seller tax report to document the gallons deducted.

Most Fleet Card Companies will report all transactions, like cardlock companies. For fleet card companies whose cards can be used at non-retail locations, you will continue to report the non-retail transactions (fleet card functions as a cardlock card). When the cards are used at retail facilities, you will also report the retail transactions.

- When the fleet cards can be used in conjunction with a non-retail (cardlock) network, the card issuer must be licensed to report the tax on cardlock transactions. In these situations, the fleet card qualifies as a cardlock card, and the card issuer is subject to non-retail seller reporting laws. The non-retail networks should not “switch” the Oregon use fuel tax.
- IF fleet cards can only be used at retail locations (not associated with a cardlock network), they function as credit cards, and the issuer does not have to be licensed; the retailer will charge and remit the tax or document the reason for the ex-tax sale.

Fleet Fueling operations will not see a change in reporting. Complete schedule 1 and schedule 4, including customer information and gallons with tax status. Fleet fueling is a mobile form of retail operation. Ex-tax sales have the same documentation requirements as a fixed retail operation, with the exception that electronic invoices are allowed. Exemption certificates are for non-retail fueling and do not apply to fleet fueling operations.

We realize that changes may take some adjustment in the way you prepare reports. We anticipate these changes will simplify reporting for retail and non-retail sellers alike. If you have questions about these changes and how they may apply to you, please contact your assigned auditor for clarification.

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