



## Tax Information Publication

# TIP

No: 20B05-01

Date Issued:  
June 15, 2020

### 2020 Legislative Changes Regarding Fuel Tax Bonding Requirements

Florida requires each licensed terminal supplier, exporter, wholesaler, or producer/importer of pollutants to file a bond with the Department. The required bond is equal to three times the average monthly tax levied or due during the preceding 12 calendar months. In addition, each license type is required to obtain a separate bond for motor fuel, diesel fuel, aviation fuel, and pollutants.

Chapter 2020-10, Laws of Florida, has increased the required amount of the maximum bond from \$100,000 to \$300,000 for each product type. **This increase will become effective July 1, 2020.**

**Note:** Municipalities, counties, school boards, state agencies, federal agencies, and special districts are not required to obtain a bond.

If your current bond amount is less than three months of tax liability, you will be required to obtain or increase an existing bond up to a maximum bond amount \$300,000. Attached is a worksheet and instructions on how to calculate the additional bond amount. The Department has issued emergency rules to reflect the law change, which are posted at [floridarevenue.com/rules](http://floridarevenue.com/rules).

For assistance calculating a bond or general information about fuel tax, call Taxpayer Services at 850-488-6800, Monday through Friday, excluding holidays.

**References: Sections 206.05, 206.90, and 206.9931, Florida Statutes; Sections 14 and 16, Chapter 2020-10, Laws of Florida**

#### For More Information

This document is intended to alert you to the requirements contained in Florida laws and administrative rules. It does not by its own effect create rights or require compliance.

For forms and other information, visit the Department's website at [floridarevenue.com](http://floridarevenue.com) or call Taxpayer Services at 850-488-6800, Monday through Friday (excluding holidays).

For a detailed written response to your questions, write the Florida Department of Revenue, Taxpayer Services MS 3-2000, 5050 West Tennessee Street, Tallahassee, FL 32399-0112.

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## Additional Fuel Bond Worksheet July 1, 2020 through December 31, 2020

DR-157WT  
N. 07/20  
Rule 12BER20-4, F.A.C.  
Effective 07/20  
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Florida law requires each licensed terminal supplier, exporter, wholesaler, or producer/importer of pollutants to file a bond with the Department. The required bond is equal to three times the average monthly tax levied or due during the preceding 12 calendar months. In addition, each license type is required to obtain a separate bond for motor fuel, diesel fuel, aviation fuel, and pollutants.

Chapter 2020-10, Laws of Florida, increased the maximum bond amount required for each product type from \$100,000 to \$300,000. This increase will become effective July 1, 2020.

**Note:** Municipalities, counties, school boards, state agencies, federal agencies, and special districts are not required to obtain a bond. In addition, the requirements for an importer's bond were not impacted by the law change and do not need to be adjusted unless your current bond is less than 60 days of tax liability for tax on unpaid fuel imported into Florida.

If your current bond amount is less than three months of tax liability, you will be required to obtain or increase an existing bond up to \$300,000. Please use the following instructions to calculate the additional bond due.

### Worksheet Instructions

**Step 1** – Complete the Additional Fuel Bond Worksheet on page 4, or create your own fuel bond worksheet for the applicable license type you own (terminal supplier, wholesaler, exporter, or producer/importer of pollutants). If you create your own worksheet, the document should be in the same format as Table 1 or Table 2 and include your:

- Company name
- Federal Employer Identification Number (FEIN)
- Contact name
- Contact phone number (10 digit)
- Email address
- License type

Wholesalers without Electronic Funds Transfer (EFT) authority are only required to update their motor fuel bond and will use Table 2. All other license types will use Table 1.

**Table 1 - Additional Fuel Bond Worksheet for Terminal Suppliers, Wholesalers with EFT Authority, and Exporters**

Column 1 Product Type	Column 2 Estimated Average Monthly Gallons		Column 3 Tax Rate		Column 4 Tax Due		Column 5 Months		Column 6 Bond Amount		Column 7 Current Bond Amount		Column 8 Bond Due
Motor Fuel		*	*\$	=	\$	*	3	=	(\$300,000 cap) \$	-		=	
Diesel Fuel			\$0.332		\$		3		(\$300,000 cap) \$				
Aviation Fuel			\$0.0427		\$		3		(\$300,000 cap) \$				
Pollutants			**\$		\$		3		(\$300,000 cap) \$				
<b>Total Additional Fuel Bonds Due</b>													

**Table 2 - Additional Fuel Bond Worksheet for Wholesalers without EFT Authority**

Column 1 Product Type	Column 2 Estimated Average Monthly Gallons	Column 3 Tax Rate	Column 4 Tax Due	Column 5 Months	Column 6 Bond Amount	Column 7 Current Bond Amount	Column 8 Bond Due
Motor Fuel		* *\$	= \$	* 3	= (\$300,000 cap) \$	-	=
<b>Total Additional Fuel Bond Due</b>							

**Step 2** – For each product type listed in Column 1, enter the total gallons acquired for export or for sale in Florida in Column 2. You may combine your wholesale and export activity under one Additional Fuel Bond Worksheet.

**Step 3** – If applicable, enter the tax rate(s) for motor fuel and pollutants in Column 3.

(\*) – The tax rate on motor fuel is based on where the product will be sold.

**Single County Sales:** If you sell motor fuel in one county, use the “Total Tax Imposed” for that county from Exhibit B of the **Tax Information Publication (TIP) 19B05-03: Fuel Tax Rates Adjusted Beginning January 1, 2020**.

- If you are a wholesaler without electronic funds transfer authority, use the “Local Option Above Minimum” for that county from Exhibit B of **TIP 19B05-03**.

**Multiple County Sales:** If you sell motor fuel in more than one county, use one of the two methods listed below:

- Enter the average tax imposed for all counties (\$0.35743).
  - If you are a wholesaler without EFT authority, use (\$0.033433).
- Enter the “Total Tax Imposed” for each county where motor fuel is sold in Florida from Exhibit B of **TIP 19B05-03**. You will need to add an additional line for each county under the initial “Motor Fuel” line on your Additional Fuel Bond Worksheet.
  - If you are a wholesaler without EFT authority, use the “Local Option Above Minimum” for each county from Exhibit B of **TIP 19B05-03**.

(\*\*) Enter the rate for “Barrel” or “Gallon” of the applicable product type from Exhibit E of **TIP 19B05-03**. Use \$0.02071 per gallon for motor fuel, diesel fuel, or aviation fuel.

**Step 4** – Multiply the “Estimated Average Monthly Gallons” in Column 2 by the tax rate in Column 3 and enter the result in Column 4.

**Step 5** – Multiply the tax due in Column 4 by 3 and enter the result in Column 6. If the result is greater than \$300,000, enter \$300,000 in this field.

**Step 6** – Enter your current bond amount for each license and product type in Column 7.

**Step 7** – Subtract the current bond amount in Column 7 from the new bond amount in Column 6 and enter the result in Column 8. **This will be the additional or new bond amount(s) due.**

These steps must be completed for each Additional Fuel Bond Worksheet.

If you are required to increase or acquire a new bond, complete and submit one of the four documents listed below to the Department along with your Additional Fuel Bond Worksheet(s). These documents are posted at **floridarevenue.com/forms** under the Fuel and Pollutants tax section.

- An irrevocable letter of credit
- Form DR-157 (Fuel or Pollutants Tax Surety Bond)
- Form DR-157A (Assignment of Time Deposit)
- Form DR-157B (Fuel or Pollutants Tax Cash Bond)

You may combine all additional or new bonds due under a single bond amount. However, you will need to provide an Additional Fuel Bond Worksheet for **each license type** to enable the Department to allocate the bond amounts correctly.

Bonds and bond worksheets should be mailed to the following address:

Account Management Fuel Unit MS 1-5730  
Florida Department of Revenue  
5050 W. Tennessee St.  
Tallahassee, FL 32399-0160

For assistance calculating a bond or general information about fuel or pollutants tax, call Taxpayer Services at 850-488-6800, Monday through Friday, excluding holidays.

### References

*The following documents are incorporated by reference in the rule indicated below.  
The forms are available online at **floridarevenue.com/forms**.*

Form DR-157	Fuel or Pollutants Tax Surety Bond	Rule 12B-5.150, F.A.C.
Form DR-157A	Assignment of Time Deposit	Rule 12B-5.150, F.A.C.
Form DR-157B	Fuel or Pollutants Tax Cash Bond	Rule 12B-5.150, F.A.C.

## Additional Fuel Bond Worksheet

Company Name	
Federal Employer Identification Number (FEIN)	
Contact Name	
Contact Phone Number (10 digit)	
Email Address	
License Type(s)	

**Table 1**  
**Additional Fuel Bond Worksheet for Terminal Suppliers, Wholesalers with EFT Authority, and Exporters**

Column 1 Product Type	Column 2 Estimated Average Monthly Gallons		Column 3 Tax Rate		Column 4 Tax Due		Column 5 Months		Column 6 Bond Amount		Column 7 Current Bond Amount		Column 8 Bond Due
Motor Fuel		*	*\$	=	\$	*	3	=	(\$300,000 cap) \$	-		=	
Diesel Fuel			\$0.332		\$		3		(\$300,000 cap) \$				
Aviation Fuel			\$0.0427		\$		3		(\$300,000 cap) \$				
Pollutants			**\$		\$		3		(\$300,000 cap) \$				
<b>Total Additional Fuel Bonds Due</b>													

**Table 2**  
**Additional Fuel Bond Worksheet for Wholesalers without EFT Authority**

Column 1 Product Type	Column 2 Estimated Average Monthly Gallons		Column 3 Tax Rate		Column 4 Tax Due		Column 5 Months		Column 6 Bond Amount		Column 7 Current Bond Amount		Column 8 Bond Due
Motor Fuel		*	*\$	=	\$	*	3	=	(\$300,000 cap) \$	-		=	

Attach this worksheet to your:

- Irrevocable letter of credit
- Form DR-157 (Fuel or Pollutants Tax Surety Bond)
- Form DR-157A (Assignment of Time Deposit)
- Form DR-157B (Fuel or Pollutants Tax Cash Bond)

Bonds and bond worksheets should be mailed to the following address:

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