

Requirements for Registration of Freight Motor Vehicles

Notice #08-16

Vehicle Title and Registration Notice

September 2008



Highlights

- Freight motor carriers are subject to the Heavy Highway Vehicle Use Tax
- Tennessee requires proof that the Heavy Highway Vehicle Use Tax has been paid before allowing registration in Tennessee
- Federal law allows certain vehicles to be exempt from federal tax
- The Tennessee registration fee is required, even if the federal tax does not have to be paid
- Proof of payment or suspension of tax is required from the Internal Revenue Service before the vehicle may be registered

INTRODUCTION

This notice is intended to provide county clerks and owners of heavy freight motor vehicles information concerning registration requirements.

Any highway motor vehicle, registered or required to be registered, with a taxable gross weight of 55,000 pounds or more is subject to the Heavy Highway Vehicle Use Tax, and must provide proof of payment as a condition to register the vehicle in Tennessee.

DISCUSSION

Tenn. Code Ann. § 55-4-113 provides that freight motor carriers be registered according to their declared weight. Any highway motor vehicle, registered or required to be registered, with a taxable gross weight of 55,000 pounds or more is subject to the Heavy Highway Vehicle Use Tax.

The **taxable gross weight** of a vehicle is the total weight of the vehicle fully equipped for service, plus the actual weight of the unloaded trailer, plus the weight of the maximum load customarily carried. In the case of a bus, the taxable gross weight is the unloaded weight of the bus, plus 150 pounds for each seat provided for passengers and driver.

Internal Revenue Service (IRS) Form 2290, Schedule 1 is used to report and pay the tax due. Vehicles expected to be used 5,000 miles or less (7,500 miles or less for an agricultural vehicle) during the tax period can have their tax suspended. **The suspension of the Heavy Highway Vehicle Use Tax does not relieve the registrant of paying any state registration fees associated with the vehicle.**

The tax year for a heavy highway motor vehicle runs from July 1 of one year thru June 30 of the next year. Form 2290, Schedule 1 must be filed by the last day of the month following the month of first use. The IRS requires that the balance shown on the form be paid in full by the due date of the return. Payment can be made by check, money order or electronically through the Electronic Federal Tax Payment System (EFTPS). Taxpayers are encouraged to pay and file these returns electronically through a tax preparer or other person qualified to submit these documents electronically.

Required Documentation (proof of payment or suspension of tax)

Registrants are required to surrender proof that the Heavy Highway Vehicle Use Tax has been paid or that the tax has been suspended. A copy of Form 2290, Schedule 1 stamped by the IRS is proof of payment or suspension. If a stamped copy is not available, a non-receipted copy of Form 2290, Schedule 1 and a copy of both sides of the cancelled check used for payment may be accepted.



References:

T.C.A. § 55-4-113

Exception for newly purchased vehicles (new or used):

- *Vehicles purchased within the past 60 days do not have to show proof of payment before obtaining state registration*

No proof of payment is required for a newly purchased vehicle if a copy of the vehicle's bill of sale shows that the vehicle was purchased within the last 60 days. This exception is **for registration only** - the IRS Form 2290, Schedule 1 is still required to be submitted and taxes paid no later than the last day of the month following the month of purchase. For example, if the truck was purchased in October, the truck can be registered with the state, within 60 days of the purchase date and tags received without providing Form 2290, Schedule 1; however the Form 2290, Schedule 1 must be filed with the IRS and paid no later than November 30, in this example, to avoid a penalty for filing and paying late.

Additional Information:

- *IRS assistance is available*

For additional information about the Heavy Highway Vehicle Use Tax please contact the Internal Revenue Service at 866-699-4096 (toll-free), Monday through Friday, from 8:00 a.m. to 6:00 p.m., Eastern time. Form 2290 can be obtained by visiting www.irs.gov or calling the IRS at 800-829-3676. You can also file Form 2290 and pay the tax due at any IRS tax assistance center. Tennessee locations are as follows:

City	Street Address	Days/Hours of Service	Telephone
Chattanooga	5740 Uptain Road Chattanooga, TN 37411	Monday-Friday 8:30a.m.-4:30p.m.	423/855-6460
Jackson	109 S. Highland Jackson, TN 38301	Monday-Friday 8:30a.m.-4:30p.m.	731/423-2441
Johnson City	2513 Wesley Street Johnson City, TN 37601	Monday-Friday 8:30a.m.-4:30p.m.	423/282-5024
Knoxville	710 Locust Street Knoxville, TN 37902	Monday-Friday 8:30a.m.-4:30p.m.	865/545-4794
Memphis	22 North Front Street Memphis, TN 38103	Monday-Friday 8:30a.m.-4:30p.m.	901/544-3243
Nashville	801 Broadway Nashville, TN 37203	Monday-Friday 8:30a.m.-4:30p.m.	615/250-5656

- *Assistance is available from Revenue*

For more information regarding vehicle registration in Tennessee, please call our vehicle services call center at 888/871-3171 or 615/741-3101. Assistance for county clerks is available by contacting Revenue's county clerk support staff - Billy Trout (615/741-4177), Kathy Duncan (615/532-6908), or Belinda Boddie (615/253-4073). More information is also available on our Web site, www.Tennessee.gov/revenue.

**References:**

T.C.A. § 55-4-113

The information provided here is current as of the date of publication but may change as a result of new statutes, regulations, or court decisions. While this notice is intended to be comprehensive, events and situations unanticipated by this notice may occur. In such cases you should contact the department for further guidance.