

# Business Paperless Telefiling System

## Instructions

### New Jersey Motor Vehicle Tire Fee (Form TIR-100 Quarterly Return)

#### Filing by Phone

Complete the TIR-100 Worksheet, call the Business Paperless Telefiling System at 609-341-4800, and select "4" from the menu for the Motor Vehicle Tire Fee Filing System. You will be prompted to enter the information from your worksheet on your Touch-tone telephone keypad. (NOTE: For best results, do not use a cordless or cellular phone or one with a keypad in the handset.) The system provides step-by-step instructions and repeats your entries to ensure accuracy. When your return is accepted, you will be given a 7-digit Confirmation Number as proof that your return was successfully filed. The telefiling system is available 24 hours a day, seven days a week.

**Payments.** The system automatically calculates the total amount you owe based on the information you provide. Payments must be made electronically using either electronic check (e-check), electronic funds transfer (EFT), or credit card. See "How to Pay" below. During your phone call you will have an opportunity to pay the amount due by e-check or EFT debit. You can also pay the amount due outside the telefiling system using a credit card or EFT (debit or credit).

**Identification.** You will be asked to enter your New Jersey Taxpayer Identification Number and either your 4-digit Personal Identification Number (PIN) or the first four characters of your registered taxpayer name to access the filing system.

#### Filing Online

You can also file Form TIR-100 online at the Division of Taxation's website ([nj.gov/taxation](http://nj.gov/taxation)). Choose the "Businesses" tab in the center column, select "File Business Taxes/Fees," and then choose "Motor Vehicle Tire Fee" to access the link to the online filing application.

#### Who Must File

Businesses that sell tires in this State are required to collect a \$1.50 per tire fee on the sale of new tires, including new tires that are component parts of a new or used motor vehicle that is either sold or leased, if the transaction is subject to New Jersey sales tax. The fee applies to sales of new tires, or sales or leases of motor vehicles. The fee is separate from and in addition to any sales tax due on the transaction. A quarterly return (Form TIR-100) must be filed for each quarter even if no fees are due and/or no sales were made for that particular quarter. Returns must be filed either by phone or online. There are no paper returns. The payment does not have to be made at the same time the TIR-100 return is filed; however, making only the payment does not satisfy the requirement to file the return.

This packet contains a TIR-100 Worksheet for you to record your quarterly return information in preparation for filing by phone. The worksheet may be reproduced for future use. Copies are also available online or by phone. See "Where to Get Information" on page 4.

#### When to File

Businesses that are subject to the fee must file a quarterly Motor Vehicle Tire Fee Return, Form TIR-100, and remit any fees due, on or before the 20th day of the month following the end of the calendar quarter.

Quarter	Ending	Due Date
Jan.-Feb.-Mar.	March 31	April 20
Apr.-May-June	June 30	July 20
July-Aug.-Sept.	September 30	October 20
Oct.-Nov.-Dec.	December 31	January 20

If a due date falls on a Saturday, Sunday, or legal holiday, the return is due the next business day. Returns transmitted by 11:59 p.m. on the due date will be deemed timely.

#### How to Pay

Payments made by 11:59 p.m. on the due date will be deemed timely even if the settlement date (date payment is debited from the account) is after the filing deadline provided the payment is made by e-check or EFT debit through the Business Paperless Telefiling System, or by credit card.

NOTE: E-check or EFT (debit or credit) payments made using an account that is funded from a financial institution outside the United States will not be accepted.

#### Electronic Check (e-check)

You will be given an opportunity during your telephone call to pay your fee liability by e-check. If you choose to pay by e-check, be sure to enter the 9-digit routing number and the account number (up to 17 characters – numbers only) in the Payment Information section of the worksheet **before** you make your call.

The image shows a sample e-check form. At the top left, it lists: John Smith, Jane Smith, 123 Main Street, Trenton, NJ 08611. To the right is a 'Date' field with '1234' and '15-00000000' written above it. Below this is a 'PAY TO THE ORDER OF' field with a '\$' symbol and a box for the amount. A large 'SAMPLE' watermark is diagonally across the form. Below the amount field are two circles: 'Routing number' and 'Account number'. Below these are the numbers '020200020' and '1234'. To the right of the account number is a note: 'Do not include the check number'. At the bottom left, it says 'Anyplace Bank, Trenton, NJ 08611' and 'EFT: 602500020'. At the bottom right, it says 'DOLLARS'.

If you choose not to pay the fee due when you file your return, you can make an e-check payment by itself in a separate call later. However, your payment must be made by the due date to avoid penalty and interest charges.

#### Electronic Funds Transfer (EFT)

Taxpayers with a prior year liability of \$10,000 or more in any tax are required to make their payments for all taxes by EFT. Other taxpayers may voluntarily submit payments by EFT with the approval of the Division of Revenue and Enterprise Services. You must enroll with the Division of Revenue and Enterprise Services to pay by either EFT debit or credit. The enrollment process may take several weeks. For more information on making payments by EFT debit or credit, call 609-292-9292, write to New Jersey Division of Revenue and Enterprise Services, EFT Unit, PO Box 191, Trenton, NJ 08646-0191, or visit the Division of Revenue and Enterprise Services' website at [www.state.nj.us/treasury/revenue/eft1.shtml](http://www.state.nj.us/treasury/revenue/eft1.shtml). Taxpayers who are required to remit payments by EFT can satisfy the EFT requirement by making e-check or credit card payments.

If you are an EFT debit payer, you can initiate payments through the Business Paperless Telefiling System when filing your return. If you choose not to pay the motor vehicle tire fee due at the same time you file your return, you can make an EFT debit payment by itself in a separate call later. EFT credit payers must make their motor vehicle tire fee payments as separate transactions outside the Business Paperless Telefiling System. Your payment must be made by the due date to avoid penalty and interest charges.

#### **Credit Card**

To pay your fee liability by credit card, call 1-888-673-7694 or go to the Division of Taxation's website at [nj.gov/taxation](http://nj.gov/taxation) after you have completed your telephone filing and received a Confirmation Number. When paying online, choose the "Businesses" tab in the center column and then choose "File Business Taxes/Fees." Select "Motor Vehicle Tire Fee," and click on the link "File Online." Once you have entered your New Jersey Taxpayer Identification Number and PIN (or business name), choose "All Other Payments – Deficiencies" from the list, enter the month and year for which you are making a payment, and continue. Fees apply when you pay by credit card. The fee is added to your actual payment.

## **Penalties, Interest, and Fees**

Failure to file a return by the due date and/or failure to remit any fees due by the due date will result in penalty and interest charges. Anyone required to collect the motor vehicle tire fee does so as a trustee on behalf of the State of New Jersey. As trustees of the State, business owners, partners, corporate officers, and some employees of such businesses may be held personally liable for failure to collect the fee when required or for failure to file returns and remit any fees due on a timely basis.

#### **Late Filing Penalties**

The late filing penalty is 5% per month (or fraction thereof) of the balance of fee liability due at original return due date not to exceed 25% of such fee liability. A penalty of \$100 per month (or fraction thereof) for each month the return is late will also be imposed.

#### **Late Payment Penalty**

The late payment penalty is 5% of the balance of the fees due and paid late.

#### **Interest**

The annual interest rate is 3% above the average predominant prime rate. Interest is imposed each month (or fraction thereof) on the unpaid balance of the fee from the original due date to the date of payment. At the end of each calendar year any fees, penalties, and interest remaining due will become part of the balance on which interest is charged.

NOTE: The average predominant prime rate is the rate as determined by the Board of Governors of the Federal Reserve System, quoted by commercial banks to large businesses on December 1st of the calendar year immediately preceding the calendar year in which the payment was due or as determined by the Director in accordance with N.J.S.A. 54:48-2.

#### **Collection Fees**

In addition to the above penalties and interest, if your fee bill is sent to a collection agency, a referral cost recovery fee of 10.7% of the fee due will be added to your liability. If a certificate of debt is issued for your outstanding liability, a fee for the cost of collection may also be imposed.

## **General Information**

A motor vehicle tire fee of \$1.50 per tire is imposed on each **new** motor vehicle tire sold in New Jersey, including new tires that are component parts of a new or used motor vehicle that is either sold or leased, if the transaction is subject to sales tax pursuant to the New Jersey Sales and Use Tax Act. The fee applies to the spare tire sold as part of a motor vehicle, as well as to sales of new tires in connection with a repair or maintenance service. The fee does not apply to the sale of recapped tires.

For purposes of the motor vehicle tire fee, a "motor vehicle" includes any vehicle propelled otherwise than by muscular power, including trailers and semitrailers, or any other type of vehicle drawn by a motor vehicle, that is designed for use on the public highways, but excepting a vehicle that runs only upon rails or tracks. A "tire" means a continuous covering encircling a wheel for a motor vehicle in which a person or property is or may be transported or which is or may be drawn upon a road or highway.

The accrual method of accounting must be used when reporting the number of tires sold for purposes of the motor vehicle tire fee. Under this method, all new tires sold are reported in the period in which the sale took place, no matter when, or if, payment is actually received from the customer.

## **Exemptions**

**Non-Highway Use Vehicles.** New tires that are sold for or as a component part of vehicles that are not designed for use on the public highways are not subject to the motor vehicle tire fee. This includes tires for all-terrain vehicles (ATVs) and certain construction vehicles (e.g., backhoes, forklifts).

**Exempt-Purchaser Transactions.** Sales of new motor vehicle tires to the following purchasers, including tires that are component parts of a motor vehicle that is either sold or leased, are exempt from the fee:

- Agencies and instrumentalities of the United States;
- Agencies, instrumentalities, public corporations or political subdivisions of the State of New Jersey;
- The United Nations or any international organization of which the U.S. is a member;
- Qualified exempt organizations that have been authorized under IRC 501(c)(3) and have been issued an Exempt Organization Certificate (ST-5) from the New Jersey Division of Taxation;
- Volunteer fire companies, rescue, ambulance, first aid or emergency squads;
- Parent-teacher associations;
- Veteran's organizations;
- Qualified diplomatic or consular personnel.

**Exempt-Vehicle Transactions.** Sales or leases of the following motor vehicles, including the sale of replacement tires\* for such vehicles, are not subject to the motor vehicle tire fee:

- Commercial trucks, tractors, semitrailers, and vehicles used in combination, that have a gross vehicle weight rating in excess of 26,000 pounds or are operated exclusively for the carriage of interstate freight or are registered as a farm vehicle under N.J.S.A. 39:3-24 or 25;

- Buses for public passenger transportation, to bus companies whose rates are regulated by the ICC or the Department of Transportation, or to carriers engaged in the transportation of children to or from school;

- Limousines sold to licensed limousine operators;

- Qualified zero emission vehicles (ZEVs), as certified by the New Jersey Department of Environmental Protection.

\* The sales tax exemption for ZEVs does not include replacement tires; therefore, new replacement tires for a ZEV are subject to both sales tax and the motor vehicle tire fee.

For motor vehicle tire fee purposes, these exempt-vehicle transactions must be documented with the Exempt Use Certificate (Form ST-4).

**Rental Transactions.** The motor vehicle tire fee is imposed on sales and leases of motor vehicles, but not on rental transactions, which for purposes of this fee are defined as agreements that are not subject to the accelerated payment of tax under

the Sales and Use Tax Act. (For sales and use tax purposes, when the transaction is for a term of *more than six months*, the full amount of tax is due up front in the period in which the property is delivered.)

**Nonresident Transactions.** The sale or lease of a motor vehicle to a nonresident of New Jersey is not subject to New Jersey sales tax; therefore, such transactions are not subject to the motor vehicle tire fee.

For motor vehicle tire fee purposes, these exempt nonresident transactions must be documented with the Motor Vehicle Sales and Use Tax Exemption Report (Form ST-10).

**Out-of-State Transactions.** If a New Jersey customer (a New Jersey resident or purchaser engaged in carrying on any employment, trade, business, or profession in New Jersey in which the new tires or motor vehicle will be used) takes delivery of new tires or a motor vehicle outside of New Jersey, the transaction is not subject to the motor vehicle tire fee. (There is no specific exemption form for these out-of-State transactions.)

## Instructions for Telefile Worksheet

### Identification

**New Jersey Taxpayer Identification Number.** Enter your 12-digit New Jersey Taxpayer Identification Number. If your ID number begins with the letters "NJ," enter "6," "5," and the remaining 10 digits. (NOTE: If you do not enter your ID number correctly, you will not be able to file.)

**PIN/Taxpayer Name.** Enter your 4-digit PIN (Personal Identification Number) or the first four characters of your registered taxpayer name. If you are entering your registered taxpayer name, use only letters and numbers. Omit symbols and spaces. (NOTE: If you do not enter your PIN or the first four characters of your taxpayer name correctly, you will not be able to file.)

If you are registered to withhold New Jersey gross income tax from wages or other payments, your motor vehicle tire fee PIN is the same PIN that you use to file employer withholding tax returns (Forms NJ-927/NJ-500 or NJ-927-W) online. If your business does not file employer withholding tax returns, your motor vehicle tire fee PIN is the same PIN you use to file sales and use tax returns (Forms ST-50/51) online or by phone.

You must update your registration information to report that you are required to collect the fee before you can use your assigned employer or sales tax PIN or the first four characters of your registered taxpayer name to file your motor vehicle tire fee return. To update your registration information online go to [www.state.nj.us/treasury/revenue/](http://www.state.nj.us/treasury/revenue/).

If you have registered to collect the motor vehicle tire fee and you cannot access the Business Paperless Telefiling System using either your assigned PIN or the first four characters of your registered taxpayer name, call the Division of Taxation's Customer Service Center or visit a regional office for assistance. See "Where to Get Information" on page 4.

**Contact Phone Number.** Enter the area code and phone number of a contact person for your business.

**Tax Preparer's Identification Number.** If the return is being filed by a tax preparer, enter the preparer's 9-digit Federal identification number or social security number. This information will be requested during the signature portion of the phone call.

### Return Period

**Quarter:** Enter the number that reflects the calendar quarter covered by the return:

- 1 – January, February, March
- 2 – April, May, June
- 3 – July, August, September
- 4 – October, November, December

**Year:** Enter the year in which the quarter you are reporting fell.

Example: If you are filing a return for the third quarter of 2013, enter "3" for the quarter and "2013" for the year.

### Return Information

**Line 1 – Total Number of New Tires Sold During the Quarter.** Enter on Line 1 the total number of new tires sold from all transactions, including exempt transactions, that occurred during the three-month reporting period covered by the return. If you had no new tire sales for the quarter, enter "0."

**Line 2 – Number of Tires Sold During the Quarter That are Exempt From the Fee.** Enter on Line 2 the number of all sales included on Line 1 that are not subject to the motor vehicle tire fee under New Jersey law. See "Exemptions" on page 2 for more information. If you sold no exempt tires for the quarter, enter "0."

**Line 3 – Number of Tires Sold During the Quarter That are Subject to the Fee.** The system will calculate the number of new tires sold that are subject to the fee and provide the number to you. Enter the number stated on Line 3.

**Line 4 – Total Motor Vehicle Tire Fee Due.** The system will calculate the total fee due and provide the amount to you. Enter the amount stated on Line 4.

**Line 5 – Penalty and Interest.** Compute any penalty and interest charges incurred for late payment and/or late filing for the quarter and enter the amount on Line 5. If you are unable to determine this amount, enter “0.” You will be billed for any penalty or interest due.

**Line 6 – Total Amount Due.** The system will calculate the total amount due for the quarter and provide the amount to you. Enter the amount stated on Line 6. If you have a balance due, you must pay by e-check, credit card, or EFT. See “How to Pay” on page 1. You are not required to submit your payment on the same date as your telephone call; however, your payment must be made by the due date to avoid penalty and interest charges.

### Payment Information

If you want to pay by e-check, enter on the worksheet the 9-digit bank routing number, the account number (omit hyphens, spaces, symbols, and letters), the type of account, and the date you want the payment to be debited from your account. If you are paying by EFT debit during your phone call, enter only the account type and the payment debit date. The earliest date you may select is the next business day. However, payment transactions initiated by 11:59 p.m. on the due date will be deemed timely even if the settlement date (date payment is debited from the account) is after the filing deadline.

You can also pay by credit card or EFT (debit or credit) after you have completed your telephone filing and received a Confirmation Number. See “How to Pay” on page 1.

**NOTE:** E-check or EFT (debit or credit) payments made using an account that is funded from a financial institution outside the United States will not be accepted.

### Signature and Confirmation

**Signature.** You are required to affirm and sign your return by agreeing to the following statement and then providing a voice signature: “I verify and affirm that all fee information provided during this telephone call is correct. I am aware that if any of the information provided by me is knowingly false, I am subject to punishment.” Your return cannot be processed without this affirmation or a signature. Tax preparers filing on behalf of clients will also be required to enter their own tax identification number.

**Confirmation Number.** After you sign your return, stay on the line until the system assigns you a 7-digit Confirmation Number. This number serves as proof that your return was successfully filed. Enter the number and the date you filed your return in the boxes on the worksheet along with the name of the person who “signed” the return. **Your return is not filed until you receive a Confirmation Number.**

Your Confirmation Number is your only proof that your return was successfully filed. Enter it on your worksheet, and keep the worksheet for your business files for four years in case of audit. **Do not mail it to the Division of Taxation.**

If you file your quarterly return in one phone call, but make your payment by e-check or EFT debit in a separate call to the Business Paperless Telefiling System, you will receive a separate Confirmation Number for the payment transaction.

## Amended Returns

If you discover an error after you file your return by phone, file an amended return by phone through the Business Paperless Telefiling System or online. If the correction results in an overpayment of tax for the quarter, file a Claim for Refund (Form A-3730). To obtain Form A-3730, visit the Division of Taxation website or call the Forms Request System. See “Where to Get Information” below.

## Where to Get Information

### By Phone

Call the Division of Taxation’s Customer Service Center at **609-292-6400**. Representatives are available from 8:30 a.m. to 4:30 p.m., Monday through Friday (except holidays).

### Online

- Division of Taxation website:  
**[nj.gov/taxation](http://nj.gov/taxation)**
- Email general State tax questions:  
**[nj.taxation@treas.nj.gov](mailto:nj.taxation@treas.nj.gov)**  
Do not include confidential information such as social security or Federal tax identification numbers, liability or payment amounts, dates of birth, or bank account numbers in your email.

### Forms and Publications

To obtain copies of the TIR-100 Worksheet and Instructions, as well as other tax forms and publications:

- Visit the Division of Taxation’s website:  
Forms: **[www.state.nj.us/treasury/taxation/forms.shtml](http://www.state.nj.us/treasury/taxation/forms.shtml)**  
Publications: **[www.state.nj.us/treasury/taxation/pubs.shtml](http://www.state.nj.us/treasury/taxation/pubs.shtml)**
- Call the Forms Request System at **1-800-323-4400** (within NJ, NY, PA, DE, and MD) or **609-826-4400** (Touch-tone phones only) to have printed forms or publications mailed to you.

**NOTE:** Due to budgetary constraints, supplies are limited and only certain forms and publications can be ordered through this System.

### In Person

Visit a New Jersey Division of Taxation regional office. For the address of the office nearest you, call the Automated Tax Information System from a Touch-tone phone at **1-800-323-4400** (within NJ, NY, PA, DE, and MD) or **609-826-4400** or visit our website.