

INSTRUCTIONS FOR DEALER'S HEAVY EQUIPMENT INVENTORY DECLARATION

Filing deadlines: You must file this declaration not later than February 1 each year. If you were not in business for the entire year, you must file this declaration not later than 30 days after starting your business. Keep a copy of the completed declaration for your files and a blank copy for next year's filing.

Filing places: You must file the original completed declaration with the county appraisal district's Chief Appraiser. You must file a copy with the county tax assessor-collector. The addresses and phone numbers for both offices are on the front of the form.

Filing penalties: Failure to file this form is a misdemeanor offense punishable by a fine not to exceed \$500. Each day that you fail to comply is a separate offense. In addition, a tax lien attaches to your business personal property to secure the penalty's payment. The district attorney, criminal district attorney, county attorney, Chief Appraiser, or person designated by the Chief Appraiser shall collect the penalty, with action in the county in which you maintain your principal place of business or residence. You also will forfeit a penalty of \$1,000 for each month or part of a month in which this declaration is not filed.

Review of records: The Chief Appraiser may examine your books and records for (1) the document to determine if this declaration applies to you; and (2) sales records to check information on the declaration. To examine your records, the Chief Appraiser must deliver personally a written request to your records custodian. You have a least 15 days to respond to the request, or you may seek court action for relief from complying with the request. Failure to comply with the request is a misdemeanor punishable by a fine not to exceed \$500. Each day that you fail to comply is a separate violation.

Step 1: Owner's name and address. Give the corporate, sole proprietorship or partnership's name, including mailing address and telephone number of the actual business location required by the inventory declaration (not of the owner).

Step 2: Required information about the business. Give the name of the business if different from the corporation or individual's name. The address is the actual physical location of the business.

Step 3: Information about the business. Include your business' account number from the appraisal district's Notice of Appraised Value. Give the date your business opened.

Step 4: Ownership statement. Give the owner's name.

Step 5: Breakdown of sales and sales amounts. Complete the boxes on number of sales and sales amounts for the preceding year. The top row of boxes is the number of units sold in each category. The bottom row of the boxes is the dollar amount sold in each category. The categories include:

Heavy equipment inventory—sales of heavy equipment at retail. Heavy equipment means self-propelled, self-powered, or pull-type equipment, including farm equipment or a diesel engine, that weights at least 3,000 pounds and is intended to be used for agricultural, construction, industrial, maritime, mining, or forestry uses. The term includes items of heavy equipment that are leased or rented but subject to a purchase option by the leasee or renter. A sale is considered to occur when possession of an item of heavy equipment is transferred from the dealer to the purchaser. The term does not include an item of heavy equipment that is required to be titled under Chapter 501 or registered under Chapter 502, Transportation Code.

Fleet sales—heavy equipment included in the sale of five or more heavy equipment from your inventory to the same buyer within one calendar year.

Dealer sales—sales of heavy equipment to another dealer.

Subsequent sales—dealer-financed sales of heavy equipment that, at the time of sale, have dealer financing from your inventory in this same calendar year. The first sale of a dealer-financed heavy equipment is reported as a heavy equipment inventory sale, with sale of this same heavy equipment later in the year classified as a subsequent sale.

Net heavy equipment inventory—heavy equipment inventory less fleet sales, dealer sales and subsequent sales.

Step 6: Market value of your inventory. Enter the dollar sales amount in the net heavy equipment inventory breakdown (see Step 5, the first box in the second row) and divide by 12 to yield your market value for this tax year. If you were not in business for the entire preceding year, the Chief Appraiser will determine your inventory's market value using the sales information that you report in Step 5.

Step 7: Sign the form. If you are the person completing this declaration, sign and date the form.