

**Local Sales Tax on Qualified Motor Fuel and Diesel Motor Fuel -  
Localities Electing to Change to Cents-Per-Gallon Calculation Method  
Effective July 1, 2006, and Other Rate Information**

Note: This TSB-M should be used in conjunction with TSB-M-06(8)S, *New Guidelines on the Sales of Motor Fuel and Diesel Motor Fuel Subject to the Cents-Per-Gallon Sales Tax*

Effective June 1, 2006, Chapter 35 of the Laws of 2006 and recently enacted legislation amended Section 1111 of the Tax Law to change the New York State percentage rate sales and use taxes (sales tax) on motor fuel and diesel motor fuel that is qualified fuel to a cents-per-gallon method.

In addition, Section 1111 of the Tax Law also allows counties and cities, including New York City, (localities) to change their percentage rate sales tax to a cents-per-gallon method, effective for sales and uses of qualified fuel occurring on or after July 1, 2006.

The chart under Part I lists the localities that **have elected**, effective July 1, 2006, a cents-per-gallon method of computing local sales tax on qualified fuel and the amount of the local cents-per-gallon sales tax. The chart under Part II lists those localities that will continue to use the percentage rate method of computing sales tax on qualified fuel, and the applicable percentage rate.

The Tax Department will provide notification of any future change in rates of local taxes on qualified fuel.

**Part I**

The localities listed below will impose their local sales tax on qualified fuel using the cents-per-gallon method effective July 1, 2006. **Note:** To determine the total state and local sales tax per gallon for qualified fuel sold or used in the localities listed below, add the state per gallon tax (8 cents outside the MCTD and 8¾ cents within the MCTD) and the local cents-per-gallon tax from the chart. For example, the total sales tax on qualified motor fuel and diesel motor fuel in Albany County equals 16 cents-per-gallon (8 cents per gallon state sales tax and 8 cents per gallon local sales tax.)

<b>County or other locality</b>	<b>Cents-per-gallon rate</b>
Albany County	.08
Cayuga County (outside the following)	.08
city of Auburn	.08
Chautauqua County	.09
Columbia County	.08
Hamilton County	.06
Jefferson County	.08
Oneida County (outside the following)	.11
city of Rome	.11
city of Sherrill *	.09
city of Utica *	.08
Onondaga County	.08
Orange County	.08
Oswego County (outside the following)	.08
city of Fulton	see Part II
city of Oswego	see Part II
Rockland County	.07
Saratoga County (outside the following)	.06
city of Saratoga Springs *	.03
Schenectady County	.08
Seneca County	.08

\* Receipts from sales made in these cities are also subject to the percentage rate of tax listed for the city in Part II below. Therefore, the total state and local sales tax on qualified fuels in these cities is the sum of the state cents per gallon tax, the cents-per-gallon tax shown for the city in this Part and the tax computed using the percentage rate shown for the city in Part II.

**Note:** The General Business Law and the Tax Law require retail vendors to reduce the price they charge their customers for qualified fuel to reflect the lower local sales tax resulting from the new cents-per-gallon rate in the jurisdictions listed above. A penalty of up to \$5,000 per day for each violation may be imposed if the seller is found in violation of these provisions.

**Part II**

The localities listed below will continue to impose their local sales tax on qualified fuel using the percentage rate method. **Note:** To determine the total state and local sales tax for qualified fuel sold or used in these localities, multiply the taxable receipt by the appropriate rate in the chart and add the state cents-per-gallon tax (8 cents outside the MCTD and 8¾ cents within the MCTD) to the local tax. In determining the taxable receipt, the retail vendor does not include the cents-per-gallon state sales tax, the local sales tax or any state excise taxes imposed under Article 12-A of the Tax Law.

County or other locality	Rate (%)	County or other locality	Rate (%)
Allegany County	4½	Ontario County	3
Broome County	4	Orleans County	4
Cattaraugus County (outside the following)	4	city of Fulton	4
city of Olean	4	city of Oswego	4
city of Salamanca	4	Otsego County	4
Chemung County	4	Putnam County	3½
Chenango County (outside the following)	4	Rensselaer County	4
city of Norwich	4	St. Lawrence County	3
Clinton County	3¾	city of Saratoga Springs *	1½
Cortland County	4	Schoharie County	4
Delaware County	4	Schuyler County	4
Dutchess County	3¾	Steuben County (outside the following)	4
Erie County	4¾	city of Corning	4
Essex County	3¾	city of Hornell	4
Franklin County	4	Suffolk County	4¼
Fulton County (outside the following)	4	Sullivan County	3½
city of Gloversville	4	Tioga County	4
city of Johnstown	4	Tompkins County (outside the following)	4
Genesee County	4	city of Ithaca	4
Greene County	4	Ulster County	4
Herkimer County	4	Warren County (outside the following)	3
Lewis County	3¾	city of Glens Falls	3
Livingston County	4	Washington County	3
Madison County (outside the following)	4	Wayne County	4
city of Oneida	4	Westchester County (outside the following)	3
Monroe County	4	city of Mount Vernon	4
Montgomery County	4	city of New Rochelle	4
Nassau County	4¼	city of White Plains	3½
New York City	4	city of Yonkers	4
Niagara County	4	Wyoming County	4
city of Sherrill *	1	Yates County	4
city of Utica *	1½		

\*: Sales made in these cities are also subject to the cents-per-gallon rate of tax listed for the city in Part I above. Therefore, the total state and local sales tax on qualified fuels in these cities is the sum of the state cents per gallon tax, the tax computed using the percentage rate shown for the city in this Part and the cents per gallon tax shown for the city in Part I.