



LOUISIANA DEPARTMENT OF PUBLIC SAFETY  
OFFICE OF MOTOR VEHICLES

**Section:** IV Motor Vehicle Registration Requirements  
**Number:** 95.01

**Effective:** 07/01/1996  
**Revised:** 10/29/2012

**TAX EXEMPTION FOR VEHICLES USED IN INTERSTATE COMMERCE**

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**POLICY:**

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To view Louisiana Statutes: <http://www.legis.state.la.us/>

**AUTHORITY:**

R.S. 47:302  
R.S.47:305.50  
R.S. 47:321  
R.S.47:331

**DEFINITIONS**

**Interstate commerce** is "...trade, traffic, or transportation in the United States between a place in a state and a place outside of such state (including a place outside of the United States); between two places in a state through another state or in a place outside of the United States; or between two places in a state as part of trade, traffic, or transportation originating or terminating outside the state or the United States."

Intrastate commerce is defined as shipments from one point within the state to another point within the state when the goods do not leave the physical boundaries of Louisiana. Example: A Louisiana truck picks up a shipment of gravel severed from a Louisiana source and delivers it to a Louisiana site. Although the truck travels on a section of an interstate thoroughfare, it never leaves the physical boundaries of Louisiana.

**Lessee** - The company with whom the owner of the vehicle has signed a lease agreement granting that company authority to utilize the vehicle and the operator of the vehicle for the conduction of that company's business.

**REQUIREMENTS**

Owners of trucks who travel in interstate commerce may be eligible for a sales and use tax exemption. A truck may be eligible when the minimum gross weight is twenty-six thousand pounds or greater. Trailers and contract carrier buses may also be eligible. The requirements for the exemption are listed below and proof of Louisiana domicile must be presented with the file.

**Trucks 26000 - 79999**

- Has a gross vehicle weight rating of 26000 pounds to 79999 pounds;
- Will be used at least 80 percent of the time based on actual mileage in interstate commerce; and
- Is subject to the jurisdiction of the U.S. Department of Transportation.

**Trucks 80000 and above**

- Will be registered as a Class 1 vehicle (See Policy 28 Section V for criteria);

- Has a gross vehicle weight rating of at least 80000 pounds;
- Is subject to the jurisdiction of the U.S. Department of Transportation; and
- Will be registered or is registered with an apportioned license plate through the International Registration Plan or will be issued a special permit according to the provisions of R.S. 32:387(J) from the LA Department of Transportation and Development to haul containerized cargo to intermodal facilities. If the truck has a special permit, it must engage in no less than 200 intermodal container moves per year regardless of whether the moves require a special permit.

### **Trailers**

- Must be used with either of the trucks described above.

### **Bus**

- Must qualify for an apportioned plate;
- Has a gross vehicle weight rating of 26000 pound;
- A minimum passenger capacity of 35 persons;
- Must be used in commercial contract carrier service, as the term "contract carrier" is defined by R.S. 47:305.50(C) (2); and
- Must attach copies of the contract carrier permits or certificates from the Federal Highway Administration

Owner/operators, even out-of-state residents, who lease to a Louisiana based carrier may qualify for this exemption if the carrier to whom they are leasing qualifies for the exemption.

EXAMPLE: John Deaux owns a truck. He leases the truck and himself (as driver), to ABC Trucking Company in Baton Rouge. John Deaux can be a Louisiana resident or a resident from another state. The application will show John Deaux as the owner with his current valid address and ABC Trucking Co. as the lessee with their physical address in Baton Rouge. In essence, John Deaux is employed by ABC Trucking Company where he uses his personal vehicle to haul ABC Trucking Company's cargo.

If the owner/operator is an out-of-state resident, a copy of the lease agreement with the Louisiana based carrier must be supplied along with appropriate evidence, as shown further in this policy, indicating the carrier has an established place of business in Louisiana. If the owner/operator is a Louisiana resident, he must furnish acceptable proof of residence as shown in this policy .

The attached worksheet and exemption certificate (Louisiana Department of Revenue form R-1367, Revised 8/07) must be completed by the applicant and submitted along with proper title documentation and applicable fees. A separate exemption certificate is required for each vehicle and must contain a complete description(year, make, and vehicle identification number) of the vehicle.

### **ACCEPTABLE PROOF OF DOMICILE**

If the vehicle is being titled in the name of a company, proof that the company has an established place of business in the state of Louisiana must be furnished unless it can be determined that the company has been issued an employer identification number (EIN) for a Louisiana-based company and other vehicles have been registered in that company's name. Two of the following items must be submitted as proof that the company has an established place of business:

- A copy of the Tax Registration Certificate issued by the Louisiana Department of Revenue indicating the Louisiana Tax Identification Number. This document can only be provided by for-hire carriers who choose to register under the for-hire provisions of Louisiana R.S.47:306.1. The Louisiana Tax Identification Number issued to those for hire carriers should be shown on the

exemption certificate.

- A copy of the Articles of Incorporation and the Initial Report as filed with the Louisiana Office of Secretary of State. These documents should be photocopied and returned to the applicant to be submitted with the company's application for apportioned license plate(s).
- A Certificate of Authority issued by the Louisiana Office of the Secretary of State authorizing an out of state based corporation to transact business in the State of Louisiana.
- A copy of the applicant's Occupational License and Occupancy License, if applicable.
- A copy of a lease or rental agreement on property within the State of Louisiana, indicating the lessee is the same business as reflected on the exemption certificate.
- A statement, on letterhead stationery, from the postmaster in the city where the business is located verifying the mailing address as belonging to the business and stating that the business receives mail at that address.
- A statement, on letterhead stationery, from a Louisiana bank verifying the that business has an active business account with that banking institution. This statement must show the local address of the business and the mailing address to which the business's bank statements are mailed.
- Three consecutive utility statements or copies of deposits made on utilities along with a copy of the work order to have utilities connected or installed.
- A copy of the current telephone statement listing the physical address and the company's name.

If the vehicle is being titled in the name of an individual, proof must be furnished that the individual is a resident of the state of Louisiana. Unless it can be determined that the individual possesses a Louisiana driver's license and has other vehicles registered in his name, two of the following items must be submitted as proof that he is a resident of Louisiana:

- A Louisiana voter's registration card.
- A property tax receipt from the tax assessor's office in the parish where the individual resides, indicating the property owner is the same individual as shown on the exemption certificate.
- A copy of a lease or rental agreement on property within the State of Louisiana, indicating the lessee is the same individual as shown on the exemption certificate.
- Utility statements (electric, gas, water, telephone, or cablevision) for three consecutive months indicating the applicant's name and address.
- A statement, on letterhead stationery, from the postmaster in the city where the applicant resides verifying the mailing address of the applicant and stating that the applicant receives mail at that address.
- W-2 Forms for the last two years reflecting the applicant's name and Louisiana address.
- A current health, home or personal vehicle insurance policy reflecting the name of the applicant and the applicant's Louisiana address.
- A copy of the current telephone statement listing the physical address and the individual's name.