

6197

Form

(Rev. January 2004)

Department of the Treasury
Internal Revenue Service

Name (as shown on Form 720)

Gas Guzzler Tax

OMB No. 1545-0242

► See instructions on back.

► Attach to Form 720.

Quarter ending

Employer identification number

⋮

Part I Computation of Tax

Line number	If the fuel economy (mpg) of the automobile model type is:					Line number	If the fuel economy (mpg) of the automobile model type is:				
	(a) At least	(b) But less than	(c) Tax rate	(d) Number of cars sold	(e) Tax due (multiply column (c) by column (d))		(a) At least	(b) But less than	(c) Tax rate	(d) Number of cars sold	(e) Tax due (multiply column (c) by column (d))
1	22.5	—	\$0			7	16.5	17.5	\$3,000		
2	21.5	22.5	1,000			8	15.5	16.5	3,700		
3	20.5	21.5	1,300			9	14.5	15.5	4,500		
4	19.5	20.5	1,700			10	13.5	14.5	5,400		
5	18.5	19.5	2,100			11	12.5	13.5	6,400		
6	17.5	18.5	2,600			12	—	12.5	7,700		

13 Total tax due for the quarter. Add lines 2 through 12 in column (e). Enter here and on Form 720 on the line for IRS No. 40 ►

Part II Identification of Models Subject to Gas Guzzler Tax

Line no. from above	Fuel economy rating	No. of vehicles	Make, model name, and model year

For Privacy Act and Paperwork Reduction Act Notice, see Form 720 instructions.

Cat. No. 50011N

Form **6197** (Rev. 1-2004)

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

Use Form 6197 to figure the gas guzzler tax. The gas guzzler tax is imposed on the sale, use, or lease by the manufacturer or importer of an automobile of a model type that does not meet certain standards for fuel economy. Automobiles imported for business or personal use are subject to the tax.

The tax liability is figured each quarter and reported on Form 720. See the **Instructions for Form 720** for information on how to file and make deposits.

If you import a gas guzzling automobile, you may be eligible to make a one-time filing for which no employer identification number is needed and no deposit is required. See **One-Time Filing** below for more information.

Definitions

Sale includes the manufacturer's first use of an automobile or first lease of an automobile. For rules on paying the tax in the case of a first lease, see section 4217(e)(2).

Manufacturer includes a producer or importer. The lengthening of existing automobiles, to make a stretch limousine for example, is considered manufacturer.

Automobile means any four-wheeled vehicle rated at 6,000 pounds or less unloaded gross weight that is propelled by an engine powered by gasoline or diesel fuel and is intended for use mainly on public streets, roads, and highways. Limousines are included regardless of their weight.

Automobile does not include vehicles operated exclusively on a rail or rails; vehicles sold for use and used (a) as ambulances or combination ambulance-hearses, (b) as Federal, state, or local police or other law enforcement vehicles, and (c) for firefighting purposes; or nonpassenger automobiles as defined in 49 CFR (Code of Federal Regulations) 523.5 (1978).

Fuel economy means the average number of miles an automobile travels on a gallon of gasoline (or an equivalent amount of other fuel) as determined by the Environmental Protection Agency (EPA).

Model type means a particular class of automobile as determined by EPA regulations.

Instructions for Part I

Complete Part I, lines 2 through 13.

Column (d). Each line indicates a rating category based on the fuel economy (mpg) of the model type. Enter the number of automobiles sold, used, or leased during the quarter in column (d) on the applicable line for the rating category.

If you sold two or more models that fall within one category, enter the total number of cars for all models in that category (see **Example** below).

Column (e). To figure the tax due for each category, multiply the tax rate (column (c)) by the number of automobiles you entered in column (d). Enter the result in column (e).

Line 13. Enter on line 13 the total of all amounts in column (e).

Example. In the second calendar quarter of 2004, a manufacturer sold:

Model	Fuel economy rating (mpg)	No. sold
X	20	6
Y	19.7	8
Total automobiles sold	14

To complete Form 6197, the manufacturer would:

1. Find the fuel economy rating for the models sold. Both models fall in the category for line 4 (19.5 - 20.5).
2. Enter 14 in column (d), line 4.
3. Enter \$23,800 (\$1,700 x 14) in column (e), line 4.
4. Enter \$23,800 on line 13, and on the line for IRS No. 40 on Form 720 for the second calendar quarter of 2004.

Instructions for Part II

Complete Part II by entering the information for each model type sold during a quarter.

Using the facts in the **Example** above, the manufacturer would make two entries, one for Model X and one for Model Y.

If you need more space, attach a schedule in the same format as Part II.

One-Time Filing

If you import a gas guzzling automobile, you may be eligible to make a one-time filing of Form 720 and Form 6197 if you meet both of the following conditions:

- You do not import gas guzzling automobiles in the course of your trade or business and
- You are not required to file Form 720 reporting excise taxes for the calendar quarter, except for a one-time filing.

To make a one-time filing:

1. File the return for the quarter in which you incur liability for the tax. See **When To File** in the Instructions for Form 720.
2. Pay the tax with the return. No deposits are required.
3. If you are an individual and do not have an employer identification number (EIN), enter your social security number (SSN) or individual taxpayer identification number (ITIN) on Form 720 and **Form 720-V**, Payment Voucher, in the space for the EIN.
4. Check the one-time filing box above Part I of Form 720.

Example. In August 2004, H, an individual, imports a car. The car has a fuel economy rating of 15 mpg, so H is liable for the gas guzzler tax of \$4,500 (Form 6197, line 9). H meets the two conditions for a one-time filing, that is, (1) does not import gas guzzling automobiles in the course of his trade or business, and (2) is not otherwise required to file Form 720. H must file Forms 720 and 6197 for the third calendar quarter of 2004. H does not have to deposit the gas guzzler tax of \$4,500 but instead pays with the return. H checks the one-time filing box on Form 720.

