

TITLE 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 6—Motor Vehicle Fuel Tax

12 CSR 10-6.030 Motor Fuel Bond Trust Fund

PURPOSE: Section 142.896, RSMo, creates the Motor Fuel Bond Trust Fund as an alternative to posting a surety bond, cash bond, certificate of deposit, or letter of credit for qualifying distributors. This rule sets the rate for contributions made to the fund and the minimum/maximum amount the fund may contain.

(1) In general, all distributors must post a bond with the department. In lieu of posting a surety bond, cash bond, certificate of deposit or letter of credit, a qualifying distributor may contribute to the Motor Fuel Bond Trust Fund, at the rate prescribed by this rule.

(2) Definition of Terms.

(A) Distributor—any person required by section 142.893, RSMo, to obtain a distributor’s license.

(B) Qualifying distributor—a distributor that met all the requirements for participating in the Motor Fuel Bond Trust Fund prior to the effective date of this rule, or that completes three (3) consecutive years of satisfactory tax compliance.

(C) Satisfactory tax compliance—the act of filing all reports and making all payments in the time and manner prescribed by Chapter 142, RSMo.

(3) Basic Application of Tax.

(A) The contribution rate to the Motor Fuel Bond Trust Fund for motor fuel is as follows:

1. \$0.0024 July 1, 2006, through September 30, 2021;
2. \$0.0028 October 1, 2021, through June 30, 2022;
3. \$0.0031 July 1, 2022, through June 30, 2023;
4. \$0.0035 July 1, 2023, through June 30, 2024;
5. \$0.0038 July 1, 2024, through June 30, 2025; and,
6. \$0.0042 July 1, 2025, forward.

(B) The contribution rate to the Motor Fuel Bond Trust Fund for aviation gasoline is \$0.0013 per gallon for aviation gasoline effective July 21, 2006.

(C) The contribution rate to the Motor Fuel Bond Trust Fund for compressed natural gas (CNG) and liquefied natural gas (LNG) is—

1. \$0.0016 January 1, 2016, through December 31, 2024; and

2. \$0.0024 January 1, 2025, forward.

(D) The contribution rate to the Motor Fuel Bond Trust Fund for propane is— 1. \$0.0016 August 28, 2017, through December 31, 2024; and 2. \$0.0024 January 1, 2025, forward.

(E) The rate per gallon applies to all gallons purchased from Missouri licensed suppliers and all gallons imported during the month subject to taxes and/or fees.

(F) Qualifying distributors that choose to participate in the fund must make contributions until the fund reaches a maximum of one (1) million dollars, except as noted in subsection (3)(H) below.

(G) When the fund reaches the maximum, participating distributors are not required to make additional contributions to the fund until the fund is reduced to five hundred thousand dollars (\$500,000), at which time the contributions will be reinstated.

(H) A qualifying distributor must pay into the fund for a minimum of one (1) year after it elects to participate even if the fund has reached the one (1) million dollar cap.

(4) Examples.

(A) A qualifying distributor imports 500,000 gallons of gasoline into Missouri on a monthly basis in 2020. Instead of purchasing a surety bond for three times the monthly liability, the distributor chooses to contribute to the Motor Fuel Bond Trust Fund. The monthly contribution required is \$1,200 ($500,000 \times \0.0024).

(B) A qualifying distributor purchases 100,000 gallons of aviation gasoline for sale in Missouri on a monthly basis in 2020. Instead of providing a letter of credit for three times the monthly liability, the distributor chose to contribute to the Motor Fuel Bond Trust Fund. The monthly contribution required is \$130 ($100,000 \times \0.0013).

(C) A qualifying distributor that has previously posted a cash bond chooses to participate in the Motor Fuel Bond Trust Fund. At the time the distributor makes the election to participate in the fund, the fund contains one million dollars and participating distributors are not making contributions. As a newly participating distributor, the distributor must make contributions for at least one year even though the fund has reached the maximum.

AUTHORITY: sections 142.896.3 and 142.953, RSMo 2016. Original rule filed Oct. 31, 2005, effective May 30, 2006. Amended: Filed May 2, 2023, effective Dec. 30, 2023.*

**Original authority: 142.896, RSMo 1998, amended 1999, and 142.953, RSMo 1998.*