



NCDOR

**NORTH
CAROLINA
DEPARTMENT
OF REVENUE**

**Excise Tax Division
North Carolina Department of Revenue
Post Office Box 25000
Raleigh, North Carolina 27640-0001
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Frequently Asked Questions for Excise Taxpayers Affected by Novel Coronavirus Disease 2019 (COVID-19)

March 31, 2020

1. Which penalties will the Department of Revenue (“Department”) not assess for returns or payments due beginning March 15, 2020 through July 15, 2020?

The Department will not assess the following penalties as long as the required action associated with the penalty is completed on or before July 15, 2020:

- Failure to obtain a license under G.S. 105-236(a)(2);
- Failure to file a return under G.S. 105-236(a)(3);
- Failure to pay tax when due under G.S. 105-236(a)(4);
- The penalties regarding informational returns under G.S. 105-236(a)(10); and
- Failure to file a return under 105-449.45(d).

(collectively, “Late Action Penalties”)

2. Which excise tax forms and due dates does the relief from Late Action Penalties apply to?

The relief from Late Action Penalties applies to the following taxes administered by the Excise Tax Division:

- Privilege Tax (Chapter 105, Article 2);
- Installment Paper Dealers (Chapter 105, Article 2);

- Tobacco Products (Chapter 105, Article 2A);
- Alcohol (Chapter 105, Article 2C);
- Motor Carrier (Chapter 105, Article 36B);
- Motor Fuel (Chapter 105, Article 36C);
- Alternative Fuel (Chapter 105, Article 36D); and
- Inspection Tax (Chapter 119, Article 3).

Additional details regarding the specific excise tax forms, filing periods, and filing deadlines covered by the relief are shown in Appendix A through Appendix D.

3. What if I receive a proposed assessment of a Late Action Penalty for a return, or payment due between March 15, 2020 and July 15, 2020?

If you filed the return or paid the tax on or before July 15, 2020 and received a proposed assessment for the corresponding penalty, you should contact the Department to remove the penalty.

By phone, you may call the Department at (919) 707-7500 or toll free (877) 308-9092. This will direct you to an automatic phone menu where you can designate the tax schedule at issue, and your call will be directed accordingly.

By mail, by writing to the Department at the following address: North Carolina Department of Revenue, Customer Service, P.O. Box 1168, Raleigh, NC 27602.

4. If I do not file a return or pay the tax due from March 15, 2020 to July 15, 2020, but I file the return or pay the tax on or before July 15, 2020, do I need to provide a written request for a penalty waiver?

No. You do not need to file a written request to waive the Late Action Penalties. The Department will not assess Late Action Penalties for returns or payments due during this period if the action is completed on or before July 15, 2020. However, if you do not complete the required action on or before July 15, 2020, the Division will assess the applicable Late Action Penalties.

5. If I do not file a return or pay the tax due from March 15, 2020 to July 15, 2020, and I do not file the return or pay the tax on or before July 15, 2020, will I be assessed penalty?

The Department will assess applicable Late Action Penalties if a return or payment identified in Question and Answer Number 2 is not filed or paid on or before July 15, 2020.

You may request a penalty waiver pursuant to the [Department's Penalty Waiver Policy](#). To apply for a waiver, you should complete [Form NC-5500](#), Request to Waive

Penalties. The form should be mailed to: N.C. Department of Revenue, Customer Service, P.O. Box 1168, Raleigh, NC 27602-1168. The Department will review these requests according to the Department's Penalty Waiver Policy.

6. Should I engage in business without a license required by Chapter 105 or Chapter 119?

No. It is unlawful to engage in business without a license. Although the Department will not assess the civil penalty for failure to obtain a license under G.S. 105-236(a)(2) from March 15, 2020 to July 15, 2020, if the license is obtained on or before July 15, 2020, persons required to be licensed under Chapter 105 or Chapter 119 who are not licensed remain subject to other penalties.

7. Will I be responsible for paying interest on Excise Tax liability if I do not pay the tax when it is due?

Yes. You will be responsible for paying interest at the applicable rate from the date the payment is due until the tax liability is paid. State law prevents the Department from waiving interest except in limited circumstances.

The interest rate is currently 5% per year for all Excise Taxes except for taxes assessed to motor carriers. This is the minimum rate set by statute.

The interest rate is currently 7% per year for taxes assessed to motor carriers. This rate is set by the International Fuel Tax Agreement.

8. What Late Action Penalties will I be assessed if I file an accurate return with a due date of May 15, 2020 on July 15, 2020, but do not pay the tax due?

You will be assessed the failure to pay penalty because you did not pay the tax due on or before July 15, 2020. You will not be assessed the failure to file penalty because you completed the action, filing the return, on July 15, 2020.

In addition, you will be charged interest from April 15, 2020 until the tax is paid in full.

9. How do I request a penalty waiver for penalties not covered in this notice?

You may request a waiver pursuant to the Department's Penalty Waiver Policy. To apply for a waiver, you should complete [Form NC-5500](#), Request to Waive Penalties. The form should be mailed to the N.C. Department of Revenue, Customer Service, P.O. Box 1168, Raleigh, NC 27602-1168.

The Department will review these requests according to the Department's Penalty Waiver Policy.

Appendix A
Alcohol

Form Number	Name	Reporting Period	Filing/Return Due Date
B-C-710	Malt Beverages Wholesaler and Importer and Resident Brewery Excise Tax Return	February – 2020	March 15, 2020
		March – 2020	April 15, 2020
		April – 2020	May 15, 2020
		May – 2020	June 15, 2020
B-C-715	Beer Shipping Report Nonresident Vendor or Resident Brewery	February – 2020	March 15, 2020
		March – 2020	April 15, 2020
		April – 2020	May 15, 2020
		May – 2020	June 15, 2020
B-C-761	Railroad Alcohol Excise Tax Return	February – 2020	March 15, 2020
		March – 2020	April 15, 2020
		April – 2020	May 15, 2020
		May – 2020	June 15, 2020
B-C-775	Spirituous Liquor/Antique Spirituous Liquor Excise Tax Return	February – 2020	March 15, 2020
		March – 2020	April 15, 2020
		April – 2020	May 15, 2020
		May – 2020	June 15, 2020
B-C-784	Wine Wholesaler and Importer and Resident Winery Excise Tax Return	February – 2020	March 15, 2020
		March – 2020	April 15, 2020
		April – 2020	May 15, 2020
		May – 2020	June 15, 2020
B-C-788	Nonresident Wine Vendor Monthly Report	February – 2020	March 15, 2020
		March – 2020	April 15, 2020
		April – 2020	May 15, 2020
		May – 2020	June 15, 2020

*Appendix B
Tobacco Products*

Form Number	Form Name	Reporting Period	Filing/Return Due Date
B-A-5	Monthly Return of Resident Cigarette Distributor	February – 2020	March 20, 2020
		March – 2020	April 20, 2020
		April – 2020	May 20, 2020
		May – 2020	June 20, 2020
B-A-6	Monthly Return of Nonresident Cigarette Distributor	February – 2020	March 20, 2020
		March – 2020	April 20, 2020
		April – 2020	May 20, 2020
		May – 2020	June 20, 2020
B-A-7	Tobacco Report Tax-Paid Products of Nonparticipating Manufacturers	February – 2020	March 20, 2020
		March – 2020	April 20, 2020
		April – 2020	May 20, 2020
		May – 2020	June 20, 2020
B-A-8	Cigarette Use Tax Return	N/A	96 hours after receipt
B-A-10	Report of Delivery Sales of Certain Tobacco Products (Other Than Cigars)	February – 2020	March 20, 2020
		March – 2020	April 20, 2020
		April – 2020	May 20, 2020
		May – 2020	June 20, 2020
B-A-15	Cigarette Manufacturer's Gratis Return	February – 2020	March 20, 2020
		March – 2020	April 20, 2020
		April – 2020	May 20, 2020
		May – 2020	June 20, 2020
B-A-101	Monthly Other Tobacco Products Excise Tax Return	February – 2020	March 20, 2020
		March – 2020	April 20, 2020
		April – 2020	May 20, 2020
		May – 2020	June 20, 2020
B-A-102	Monthly Vapor Products Excise Tax Return	February – 2020	March 20, 2020
		March – 2020	April 20, 2020
		April – 2020	May 20, 2020
		May – 2020	June 20, 2020
B-A-MR25	Schedule of Modified Risk Tobacco Products - 25% Exposure Modification Order	February – 2020	March 20, 2020
		March – 2020	April 20, 2020
		April – 2020	May 20, 2020
		May – 2020	June 20, 2020
B-A-MR50	Schedule of Modified Risk Tobacco Products - 50% Risk Modification Order	February – 2020	March 20, 2020
		March – 2020	April 20, 2020
		April – 2020	May 20, 2020
		May – 2020	June 20, 2020

Appendix C
Motor Fuel, Alternative Fuel, and Inspection Tax

Form Number	Form Name	Reporting Period	Filing/Return Due Date
GAS-1202	Motor Fuels Supplier Return	February – 2020	March 22, 2020
		March – 2020	April 22, 2020
		April – 2020	May 22, 2020
		May – 2020	June 22, 2020
GAS-1204	Terminal Operator Return	February – 2020	March 22, 2020
		March – 2020	April 22, 2020
		April – 2020	May 22, 2020
		May – 2020	June 22, 2020
GAS-1207	Refiner Return	February – 2020	March 22, 2020
		March – 2020	April 22, 2020
		April – 2020	May 22, 2020
		May – 2020	June 22, 2020
GAS-1219	Motor Fuels Importer Return (Bonded Importer)	February – 2020	March 22, 2020
		March – 2020	April 22, 2020
		April – 2020	May 22, 2020
		May – 2020	June 22, 2020
GAS-1219	Motor Fuels Importer Return (Tank Wagon Importer)	February – 2020	March 22, 2020
		March – 2020	April 22, 2020
		April – 2020	May 22, 2020
		May – 2020	June 22, 2020
GAS-1219	Motor Fuels Importer Return (Occasional Importer)	March – 2020	April 3, 2020
		April – 2020	May 3, 2020
		May – 2020	June 3, 2020
		June – 2020	July 3, 2020
GAS-1252	Alternative Fuels Provider Return	February – 2020	March 22, 2020
		March – 2020	April 22, 2020
		April – 2020	May 22, 2020
		May – 2020	June 22, 2020
GAS-1254	Bulk End-User of Alternative Fuel Return	January 1, 2020 - March 31, 2020	April 30, 2020
GAS-1258	Retailer of Alternative Fuel Return	January 1, 2020 - March 31, 2020	April 30, 2020
GAS-1259	Motor Fuels Backup Tax Return	February – 2020	March 22, 2020
		March – 2020	April 22, 2020
		April – 2020	May 22, 2020
		May – 2020	June 22, 2020

Motor Fuel, Alternative Fuel, and Inspection Tax - Continued

Form Number	Form Name	Reporting Period	Filing/Return Due Date
GAS-1260	Blender Return	February – 2020	March 22, 2020
		March – 2020	April 22, 2020
		April – 2020	May 22, 2020
		May – 2020	June 22, 2020
GAS-1264	Fuel Alcohol/Biodiesel Provider Return	February – 2020	March 22, 2020
		March – 2020	April 22, 2020
		April – 2020	May 22, 2020
		May – 2020	June 22, 2020
GAS-1288	Kerosene Supplier Return	February – 2020	March 22, 2020
		March – 2020	April 22, 2020
		April – 2020	May 22, 2020
		May – 2020	June 22, 2020
GAS-1301	Motor Fuel Transporter Return	February – 2020	March 22, 2020
		March – 2020	April 22, 2020
		April – 2020	May 22, 2020
		May – 2020	June 22, 2020

Appendix D
Other Excise Tax Returns

Form Number	Form Name	Reporting Period	Filing/Return Due Date
B-202A	Application for State Privilege License	N/A	July 1, 2020 (or prior to engaging in business)
B-203	Installment Paper Dealer Tax Return	January 1, 2020 - March 31, 2020	April 30, 2020
GAS-1276 IFTA	International Fuel Tax Agreement (IFTA) Return	January 1, 2020 - March 31, 2020	April 30, 2020