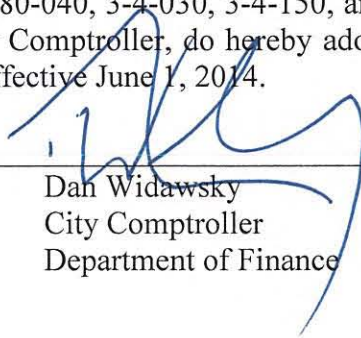


**CITY OF CHICAGO
DEPARTMENT OF FINANCE
RULES AND REGULATIONS**

Pursuant to Sections 2-80-030, 2-80-040, 3-4-030, 3-4-150, and 3-52-120 of the Chicago Municipal Code, I, Dan Widawsky, City Comptroller, do hereby adopt and promulgate Vehicle Fuel Tax Ruling #1, as set forth below, effective June 1, 2014.

Dated: May 8, 2014



Dan Widawsky
City Comptroller
Department of Finance

**CITY OF CHICAGO
DEPARTMENT OF FINANCE
VEHICLE FUEL TAX RULING**

Vehicle Fuel Tax Ruling #1
Subject: International Flight Exemption
Effective Date: June 1, 2014

Section 1. Background. The Chicago Vehicle Fuel Tax (“Fuel Tax” or “Tax”) Ordinance, Chicago Municipal Code (“Code”) Chapter 3-52, imposes a tax upon the privilege of purchasing or using, in the City of Chicago, vehicle fuel purchased in a sale at retail.

Section 2. Exemption G. There is an exemption from the Tax for the sale to or use of vehicle fuel “by any air common carrier, certified by the carrier to be used for consumption, shipment or storage in the conduct of its business as an air common carrier, for a flight destined for a destination outside the United States.” Code Section 3-52-110(G). (Emphasis added.)

Section 3. Proof of exemptions. It is “presumed that all sales and uses of vehicle fuel in the city are subject to tax until the contrary is established.” Code Section 3-52-100. The burden is on the person claiming the exemption to prove the person’s entitlement to the exemption. Id. As with other exemptions under the Code, such proof must be made with the books and records (i.e., written evidence) of the claimant. See Code Section 3-4-170; see also Code Sections 3-4-130 and 3-4-340; Telco Leasing, Inc. v. Allphin, 63 Ill. 2d 305 (1976); West Belmont, L.L.C. v. City of Chicago, 349 Ill. App. 3d 46 (1st Dist. 2004).

Section 4. Exemption G Ruling. In order for Exemption G to apply, vehicle fuel must be purchased for use in an aircraft destined for outside of the United States that:

- i. Is engaged in foreign trade or engaged in trade between the United States and any of its possessions; *and*
- ii. transports at least one individual or package for hire from the City of Chicago to the destination city outside of the United States; *and*
- iii. makes no more than one domestic stopover before the aircraft departs the United States; *and*
- iv. is assigned a route to the destination city outside of the United States that is known at the time the aircraft is being fueled in Chicago.

Section 5. Advance opinions. Anyone interested in obtaining an advance opinion from the Chicago Department of Finance should refer to Uniform Revenue Procedures Ordinance Ruling #3, regarding Private Letter Rulings. Anyone desiring to close on a transaction before an advance opinion can be obtained may pay the Tax under protest and apply for a refund, pursuant to Code Section 3-4-100.

Section 6. This ruling is a restatement and not a change of current law, and the effective date of this Ruling has no effect on the enforcement of the Chicago Vehicle Fuel Tax for periods prior to or subsequent to the effective date.