



STATE OF NORTH DAKOTA
OFFICE OF STATE TAX COMMISSIONER

Cory Fong, Commissioner

North Dakota Motor Fuel Tax
At A Glance

Motor Vehicle Fuel:

- Includes gasoline, gasohol, E85, ethanol and other similar products.
- Tax rate is \$.23 per gallon on all fuel sold or used.
- Partial refund is available for qualified agricultural or industrial use; remaining portion of tax is transferred to special agricultural and ethanol funds.
- Full refund is available for a qualified EMS operation or for qualified use by the state or a political subdivision.
- Tax collections are transferred to the State Treasurer for deposit into the Highway Tax Distribution Fund for distribution to the state, counties, and townships to be used for road purposes.
- Calendar year 2010:
 - Taxable gallons 387,868,760
 - Nontaxable gallons 2,105,043
 - Total gallons 389,973,803
 - Total tax collected \$87,930,296

Special Fuel:

- Includes both undyed on-road and dyed off-road diesel, biodiesel, soy oil, kerosene, compressed natural gas and other similar products.
- Tax rate for undyed fuel is \$.23 per gallon on all fuel sold or used in a vehicle required to be licensed.
- Tax rate for dyed fuel is \$.04 per gallon on all fuel sold or used in qualified machinery or equipment.
- Special fuel used as heating fuel is exempt from tax.
- Special fuel refunds are only available for undyed fuel used in a refrigeration unit on a truck or for a qualified EMS operation.
- Considered “buy right” law, consumers are required to purchase and use the proper fuel for either on-road or off-road use.
- Dyed fuel used in a vehicle in violation of the motor fuel statute is subject to tax based on the capacity of the fuel supply tank and administrative fees as follows:
 - First violation = \$250
 - Second violation within 3 years = \$500
 - Third violation within 3 years = \$1,000
 - Subsequent violations within 3 years = \$5,000
 - Any attempt to prevent, stop or delay an inspection is subject to a civil penalty of \$1,000
- Tax collections are transferred to the State Treasurer for deposit into the Highway Tax Distribution Fund for distribution to the state, counties, and townships to be used for road purposes.
- Calendar year 2010:
 - Taxable gallons \$.23/gal 252,210,072
 - Taxable gallons \$.04/gal 321,269,853
 - Exempt heating fuel gallons 9,249,876
 - Total gallons 582,729,801
 - Total tax collected \$72,228,671