



## INCENTIVE INFORMATION SHEET

# TAX EXEMPTIONS WITHIN THE AVIATION INDUSTRY

### MAINTENANCE OR REPAIR OF AIRCRAFT

The amount charged customers for labor associated with the maintenance or repair of:

- Fixed wing aircraft with a maximum certified takeoff weight of more than 15,000 pounds; and,
- Rotary wing aircraft (e.g., helicopters) with a maximum certified takeoff weight of more than 10,000 pounds is exempt from sales and use tax.

### EQUIPMENT USED IN AIRCRAFT REPAIR OR MAINTENANCE

The sale of equipment used to maintain or repair fixed wing aircraft and rotary wing aircraft is exempt from sales and use tax when the equipment:

- Includes replacement engines, parts, and/or equipment used to maintain or repair the aircraft; **and,**
- Is used on an aircraft with a maximum certified takeoff weight of more than 15,000 pounds, OR a rotary wing aircraft with a maximum certified takeoff weight of more than 10,300 pounds; **and,**
- Is installed on aircraft maintained or repaired in Florida.

### FIXED WING AIRCRAFT SALES OR LEASES

An exemption from sales and use tax applies to the sale or lease of fixed wing aircraft:

- Having a maximum certified takeoff weight of more than 15,000 pounds; **and,**
- Used by a “common carrier,” as defined in Federal Aviation Administration regulations (Title 14, chapter I, part 128 or 129, Code of Federal Regulations).

The taxable status of aircraft leased by qualifying common carriers prior to May 15, 1998, is based on the character of the lease as follows:

- **Operating Lease:** If the lease contract requires periodic lease payments, any lease payment contractually required to be paid on or after May 15, 1998, is exempt from Florida’s sales and use tax.
- **Capital or Lease Purchase Lease:** Lease payments arising from a capital or lease purchase lease executed before May 15, 1998, are subject to sales tax.

### FOR MORE INFORMATION

For more information call the Florida Department of Revenue, Tax Information Services, Monday - Friday, 8:00 a.m. to 5:00 p.m. at 850.488.6800.

*Statutory Reference:* [Section 212.08, Florida Statutes](#)