



# Tribal Marketer License

<https://dor.sd.gov/> 1-800-829-9188

The purpose of this Tax Fact is to explain how South Dakota motor fuel taxes apply to motor fuel transactions. It is not intended to answer all questions that may arise. The information contained in this fact sheet is current as of the date of publication.

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## Who Needs a Tribal Marketer License?

Anyone selling motor fuel to an end user on Indian reservations or Indian country that has a tax collection agreement with the State of South Dakota. Each location selling motor fuel should have its own tribal marketer license. Tribal marketer licenses are used to transfer the tribal motor fuel tax from the state to the tribe based upon the tax collection agreement.

### South Dakota Taxes and Rates

No tax is reported on the Tribal Marketer returns. Fuel is reported in whole gallons only.

Tribal marketer returns include these types of fuel:

- Gasoline and natural gasoline
- Clear diesel (including K1 and K2 kerosene)
- 100% ethyl
- LPG
- Clear biodiesel and biodiesel blends
- AVGAS
- Jet fuel
- 100% methyl alcohol
- CNG
- LNG

Returns should be filed electronically using [EPath](#).

**Tribal Marketers may be asked to obtain a South Dakota Sales Tax License. (See [Sales of Products or Service within Indian Country](#).)**

**The Tribal Marketer license should be on public display at each location where motor fuel is sold.**

## Sales to Exempt Entities

Tribal Marketers can apply for a Marketer license in order to receive refunds for taxes paid on motor fuel sold to a tax exempt entity (see [Marketer/Gas Stations Tax Fact](#)).

Gallons reported on a Marketer license cannot be reported on the Tribal Marketer license.

### Example:

Sally claimed sales to the United States Federal Government, and sales to approved Indian Schools on her marketer return.

- These sales would not get reported on the tribal marketer return (see Marketer Tax Fact for a list of approved Indian Schools).

## Dyed Diesel

Dyed diesel is a sales taxable commodity (unless sold for agricultural use). Please see the [Agricultural Services Tax Fact](#).

## Ethanol Blends

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If your fuel pumps dispense ethanol/methanol blend fuels, blended fuel sales need to be broken out on the tribal marketer return.

- 100 gallons of E10 gasoline should be reported as 90 gallons of gasoline and 10 gallons of ethanol
- 100 gallons of E85 gasoline should be reported as 85 gallons of ethanol and 15 gallons of gasoline

### Example:

*Quick Stop sells 100 gallons of E10 motor fuel to a customer.*

- On the tribal marketer return, Quick Stop would report 90 gallons of gasoline and 10 gallons of ethanol (100 total gallons sold x 10% E10 blend = 10 gallons of ethanol).

## Fuel Additives

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Anything used to expand the volume of fuel before being dispensed by the customer may require additional licenses.

### Examples:

1. *Barrels of fuel antifreeze added by the gas station into the storage tanks before being dispensed by the customer.*
  - This would require additional licenses.
2. *Customer purchases fuel antifreeze and adds it into their the tank of their own vehicle.*
  - This would **not** require any additional licenses.

## Record Keeping

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Detailed records must be kept of all fuel transactions. Records must be kept for the current year plus the three preceding years.

Records to keep include, but may not be limited to:

- Bills of lading
- Sales and purchase invoices
- Sales receipts
- Shipping records
- Diversion tickets
- Drop load tickets
- Monthly fuel inventories
- Fuel disbursement records
- Weekly pump meter readings
- Daily storage tank measurements

Go online to <https://dor.sd.gov/businesses/taxes/motor-fuel/> for tax information that applies to your business.

Please visit <https://dor.sd.gov/businesses/taxes/motor-fuel/#dates> if you would like assistance filling out online returns.

### Contact Us

If you have any questions, please contact the **South Dakota Department of Revenue**.

**Call toll-free:** 1-800-829-9188

**Motor Vehicle Division Email:** [sdmotorfuel@state.sd.us](mailto:sdmotorfuel@state.sd.us)

**Website:** <https://dor.sd.gov/>

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