

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-first Legislature First Regular Session - 2011

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 9

BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO SALES TAX; AMENDING SECTION 63-3622GG, IDAHO CODE, TO PROVIDE  
FOR TREATMENT OF AIRCRAFT USED AS A BUSINESS ASSET AS TRANSIENT EQUIP-  
MENT.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 63-3622GG, Idaho Code, be, and the same is  
hereby amended to read as follows:

63-3622GG. AIRCRAFT. There is exempted from the taxes imposed by this  
chapter:

(1) The sale, lease, purchase, or use of aircraft primarily used to pro-  
vide passenger or freight services for hire as a common carrier only if:

(a) The person operates the aircraft under the authority of the laws of  
this state, the United States or any foreign government; and

(b) The aircraft is used to provide services indiscriminately to the  
public; and

(c) The aircraft itself transports the person or property from one (1)  
location on the ground or water to another.

(2) The sale, lease, purchase or use of aircraft primarily used for air  
ambulance services.

(3) The sale, lease or purchase of aircraft for use outside this state  
by nonresidents, even though delivery be made within this state, but only  
when:

(a) The aircraft will be taken from the point of delivery to a point out-  
side this state;

(b) The aircraft will not be used in this state more than ninety (90)  
days in any twelve (12) month period.

(c) Notwithstanding the provisions of this subsection, an aircraft  
used in Idaho that is a business asset will be treated as transient  
equipment and taxed as such pursuant to section 63-3621A, Idaho Code, if  
it otherwise qualifies as such under section 63-3621A, Idaho Code.

(4) Repair and replacement materials and parts installed in or affixed  
or applied to, or sold, leased or purchased to be installed in or affixed or  
applied to, aircraft in connection with the remodeling, repair or mainte-  
nance of aircraft described under subsections (1) and (2) of this section are  
exempt. Tools and equipment utilized in performing such remodeling, repair  
or maintenance are not exempt.