

Florida State Tax Reporter, Regulation, Florida, Rule 12A-1.074, Trade-Ins

[Click to open document in a browser](#)

SALES AND USE—RULES, Title 12A Sales and Use Tax, Chapter 12A-1 Sales and Use Tax

12A-1.074(1) Where used articles of tangible personal property, accepted and intended for resale, are taken in trade, or a series of trades, as a credit or part payment on the sale of new articles of tangible personal property, the tax levied by Chapter 212, F.S., shall be paid on the sales price of the new article of tangible personal property, less credit for the used article of tangible personal property taken in trade. A separate or independent sale of tangible personal property is not a trade-in, even if the proceeds from the sale are immediately applied by the seller to a purchase of new articles of tangible personal property.

12A-1.074(2) Where used articles of tangible personal property, accepted and intended for resale, are taken in trade, or a series of trades, as a credit or part payment on the sale of used articles, the tax levied by Chapter 212, F.S., shall be paid on the sales price of the used article of tangible personal property, less credit for the used articles of tangible personal property taken in trade. A separate or independent sale of tangible personal property is not a trade-in, even if the proceeds from the sale are immediately applied by the seller to a purchase of new articles of tangible personal property.

12A-1.074(3) When title or possession of tangible personal property is transferred for a consideration other than cash, the property transferred is taxable at its full retail value. See [Section 212.02\(16\)](#), F.S. For example, a lumber dealer who trades some lumber for real property must collect tax from the former owner of the real property. If he fails to do so, he is liable for payment of the tax himself under [Section 212.07\(2\)](#), F.S.

(Amended effective December 11, 1974; January 2, 1989; June 20, 2011.)