

STATE OF NEW MEXICO - TAXATION AND REVENUE DEPARTMENT
SOLAR ENERGY SYSTEMS TAX DEDUCTION
Purchase and Use Statement
SELLER'S COPY

Declaration of purchaser. By signing this statement, the purchaser declares that the purchase(s) for which this written statement is issued:

- is for the sale of equipment or a component part, or for installation services for the equipment or component part of a qualified solar energy system pursuant to Laws 2007, Chapter 204, Section 10;
- that the equipment or component part is an essential machine, mechanism, or a component or fitting thereof, used directly and exclusively in the installation or operation of a solar energy system, and
- that the equipment or component part can be included in the basis of the property to which it is installed as established under the applicable provisions of the Internal Revenue Code of 1986.

SELLER

Name of seller
Mailing address
City State Zip code
CRS ID number

PURCHASER

Name of buyer
Mailing address
City State Zip code
Contact name (if other than name of purchaser) phone number
If business, provide CRS ID number or FEIN

I declare that the equipment or service, or both, purchased is for the sole and exclusive use for the sale and installation of a solar energy system as defined in Laws 2007, Chapter 204, Section 10.

Signature of purchaser (or agent)

Date

.....CUT HERE.....CUT HERE.....CUT HERE.....

STATE OF NEW MEXICO - TAXATION AND REVENUE DEPARTMENT
SOLAR ENERGY SYSTEMS TAX DEDUCTION
Purchase and Use Statement
BUYER'S COPY

Purpose of this form. Effective July 1, 2007, a deduction from gross receipts tax is available for the sale and installation of a solar energy system. The seller must have a signed copy of this Form RPD-41341, *Solar Energy Systems Gross Receipts Tax Deduction Purchase and Use Statement*, or other evidence acceptable to the department that the service or equipment is purchased for the sole use of the sale and installation of a qualified energy system before the seller may deduct gross receipts from the sale. When a seller accepts in good faith a person's written statement that the person is purchasing the service or equipment for the sole use of the sale and installation of a solar energy system pursuant to Laws 2007, Chapter 204, Section 10, the sale may be deducted from the seller's gross receipts. The seller must retain this statement on file. The seller may have one statement on file for each purchaser.

SELLER

Name of seller
Mailing address
City State Zip code
CRS ID number

PURCHASER

Name of buyer
Mailing address
City State Zip code
Contact name (if other than name of purchaser) phone number
If business, provide CRS ID number or FEIN

Solar Energy Systems Tax Credit Deduction Purchase and Use Statement INSTRUCTIONS

ABOUT THIS DEDUCTION: Form RPD-41341, *Solar Energy Systems Gross Receipts Tax Deduction Purchase and Use Statement*, may be used by a New Mexico taxpayer for a gross receipts tax deduction for receipts from the sale and installation of a solar energy system. "Solar energy system" means an installation that is used to provide space heat, hot water or electricity to the property in which it is installed and is:

- an installation that utilizes solar panels that are not also windows, including the solar panels and all equipment necessary for the installation and operation of the solar panels;
- a dark-colored water tank exposed to sunlight, including all equipment necessary for the installation and operation of the waste tank as a part of the overall water system of the property; or
- a non-vented trombe wall, including all equipment necessary for the installation and operation of the trombe wall.

Receipts from sale and installation of solar energy systems pursuant to Laws 2007, Chapter 204, Section 10 may be deducted from gross receipts when the sale is made to a person who submits a signed Form RPD-41341, *Solar Energy Systems Gross Receipts Tax Deduction Purchase and Use Statement*, or when the seller can provide evidence acceptable to the department that the service or equipment is purchased for the sole use of the sale and installation of a qualified solar energy system. Evidence acceptable to the department includes a description of what was sold, the amount of the sale and a description of the solar energy system being sold and installed.

When a seller accepts in good faith a person's written statement that the person is purchasing the equipment for the sole use of the sale or installation of a solar energy system pursuant to Laws 2007, Chapter 204, Section 10, the written statement shall be conclusive evidence that the proceeds from the transaction with the person having made this statement are deductible from the seller's gross receipts.

Solar energy system includes components or systems for collecting and/or storing energy, but does not include components or systems related to the use of the energy. Examples of use would include the pipes carrying heated water to a faucet or the electrical wire carrying electricity to an outlet.

Installation of a solar energy systems includes replacement of some part of the system, or a similar change to the system

that would qualify as an adjustment to basis for federal income tax purposes. Labor for maintenance or service of a solar energy system does not qualify for the deduction in the absence of an installation of some part of the system. Labor to perform post-installation adjustments to the solar energy system qualifies when the adjustments are performed to optimize the operation of the solar energy system as part of the initial installation and are performed within one year of the initial installation.

DEFINITIONS:

Equipment means an essential machine, mechanism, or a component or fitting thereof, used directly and exclusively in the installation or operation of a solar energy system. Equipment that can be included in the solar energy system is limited to equipment that can be included in the basis of the property to which the solar energy system is installed as established under the applicable provisions of the Internal Revenue Code of 1986.

Trombe Wall is a sun-facing wall built from material that can act as a thermal mass, such as stone, concrete, adobe or water tanks, combined with an air space and glass to form a solar thermal collector.

Solar thermal collector means an energy system that collects or absorbs solar energy for conversion into heat for the purposes of space heating, space cooling or water heating.

Solar panel is a solar thermal collector, such as a solar hot water or air panel used to heat water, air, or otherwise collect solar thermal energy. "Solar panel" may also refer to a photovoltaic system.

Solar thermal energy is a technology for harnessing solar power for practical applications from solar heating to electrical power generation.

Photovoltaic system means an energy system that collects or absorbs sunlight for conversion into electricity.

COMPLETING THE STATEMENT: The **purchaser** must complete the written statement (top and bottom portions) and sign and date the statement, declaring to the seller that the equipment or installation services were purchased solely for the use of installation and operation of a solar energy system. The **purchaser** provides the top portion of the statement to the seller to substantiate the deduction. Provide a contact name and a CRS identification number or Federal Employer Identification Number (FEIN), if the purchaser is a business.