



# CT-32-M Metropolitan Transportation Business Tax Surcharge Return

For calendar year 1991 or tax period:

Tax Law — Article 32, Section 1455-B

beginning	
ending	

Employer identification number		File number		If your name, employer identification number, address or owner/officer information has changed, file Form DTF-95 (see instructions).	For office use only
Name					
Number and street		City or town	State		ZIP code
Trade name		State or country of incorporation		date	
Business telephone number		Foreign corporations: date began business in NYS		Business activity code number (from federal return)	

If you do business in the Metropolitan Commuter Transportation District (the counties of New York, Bronx, Kings, Queens, Richmond, Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk and Westchester), you must file this form. If not, you do not have to file this form. However, you must disclaim liability for the MTB tax surcharge on Form CT-32.

<b>A. Payment — pay amount shown on line 16. Make check payable to: <i>New York State Corporation Tax</i></b>	Payment enclosed
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**Computation of Metropolitan Commuter Transportation District (MCTD) Allocation Percentage**

1 Gross income within MCTD	1	
2 Gross income within New York State	2	
3 MCTD gross income allocation percentage (divide line 1 by line 2)	3	%

**Computation of MTB Tax Surcharge**

4 Net New York State franchise tax from Form CT-32, Schedule A, line 7 or CT-32-A, line 9	4	
5 Allocated tax (multiply line 4 by line 3)	5	
6 MTB Tax surcharge (multiply line 5 by 17% (.17))	6	

**First installment of estimated tax for next period:**

7a If application for extension was filed, enter amount from Form CT-5, line 5	7a	
7b If Form CT-5 was not filed, see instructions	7b	
8 Add lines 6 and 7a or 7b	8	
9 Prepayments (see instructions)	9	
10 Credit transferred from Form CT-_____, period _____	10	
11 Total prepayments claimed (add lines 9 and 10)	11	
12 Balance (if line 11 is less than line 8, subtract line 11 from line 8)	12	
13 Interest on late payment (see instructions)	13	
14 Late filing and late payment penalties (see instructions)	14	
15 Underpayment of estimated tax penalties; check box if form CT-222 is attached <input type="checkbox"/> (if none, enter "0")	15	
16 Balance due (add lines 12 through 15; enter amount on line A)	16	
17 Overpayment (if line 8 is less than line 11, subtract line 8 from line 11)	17	
18 Amount of overpayment to be refunded	18	
19 Amount of overpayment to be credited to New York State franchise tax	19	
20 Amount of overpayment to be credited to MTB tax surcharge for next report period	20	

**Certification.** I certify that this return and any attachments are to the best of my knowledge and belief true, correct and complete.

Date	Signature of elected officer or authorized person	Official title
Date	Print or type name of paid individual or firm preparing this return	Signature of individual preparing this return
Paid preparer's ID number	Paid preparer's address	

Mail to: NYS Corporation Tax Processing Unit  
P.O. Box 1909  
Albany, NY 12201-1909

# Instructions

## Who Must File

If you do business, employ capital, own or lease property or maintain an office in the Metropolitan Commuter Transportation District (MCTD) you must pay a business tax surcharge. The MCTD includes the counties of New York, Bronx, Queens, Kings, Richmond, Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk and Westchester.

If you file Form CT-32 (Article 32 taxpayers), use Form CT-32-M to report and pay the Metropolitan Transportation Business (MTB) tax surcharge.

Corporations filing on a combined basis are required to file only one return for the combined group. Combined figures, as shown on your Form CT-32-A, should be used to complete this form.

## 1991 Law Change

Effective for periods beginning in 1991 and thereafter, any corporation doing business in the Metropolitan Commuter Transportation District that is required to make a declaration of estimated franchise tax and tax surcharge must also make a declaration of estimated metropolitan transportation business (MTB) tax surcharge and make quarterly installment payments on Form CT-400. For additional information see Form CT-400-I and the instructions for line 7b.

## MTB Tax Surcharge Rate

The MTB tax surcharge rate is 17% for calendar year 1991 or fiscal years ending before December 31, 1992.

## When and Where to File

File this return and any amount due within 2½ months after the end of your reporting period. If you are reporting for the 1991 calendar year, file your return on or before March 16, 1992.

Mail return to: NYS Corporation Tax  
Processing Unit  
P.O. Box 1909  
Albany, NY 12201-1909

## Extension of Time for Filing MTB Tax Surcharge Return

You may request additional time to file an MTB tax surcharge return. File Form CT-5 on or before the due date of the return for which the extension is requested and pay the MTB tax surcharge estimated to be due.

The payment must:

- equal or exceed your MTB tax surcharge for the preceding tax period (if it was for a period of 12 months); or
- equal or exceed 90% of the MTB tax surcharge for this period as finally determined.

## Identifying Information

To ensure that your corporation tax forms are processed as quickly and efficiently as possible, it is important that we have the necessary identifying information from your preprinted mailing label. Please include your employer identification number and file number on each form filed. These numbers can be copied directly from the label. Do not use the label on this form.

If you use a paid preparer or accounting firm, make sure they use the label information when completing all forms prepared for you.

## Change of Business Information

If there have been any changes in your business name, ID number, mailing address, telephone number or owner/officer information, complete Form DTF-95, *Change of Business Information*. If you don't have a form, call toll free (from New York State only) 1 800 462-8100. From areas outside New York State, call (518) 438-1073.

## Specific Instructions

### Computation of MCTD Gross Income Allocation Percentage

- If you do all of your New York State business within the 12 counties of the MCTD, skip lines 1 and 2 and enter 100% on line 3.
- If you do part of your business outside of the MCTD, compute your MCTD gross income allocation percentage on lines 1 through 3.

The MCTD gross income allocation percentage is determined by dividing your gross income within the MCTD by your gross income within New York State. Gross income is federal gross income as defined in section 61 of the Internal Revenue Code plus any amount excluded from federal gross income under section 103 of the Internal Revenue Code minus the eligible gross income of an international banking facility, if the taxpayer elects to utilize the IBF modification. (See Regulations, section 23-1.3(b).)

### Computation of MTB Tax Surcharge

Line 4 - Enter your New York State franchise tax from Form CT-32, Schedule A, line 7 or Form CT-32-A, line 9.

### First Installment for the Next Tax Period

Line 7a - If you have filed an application for extension (Form CT-5), enter the amount from line 5 of Form CT-5.

Line 7b - Enter 25% of the amount on line 6, if:  
— Form CT-5 was not filed, and  
— the franchise tax plus the tax surcharge on Form CT-32, line 9, or Form CT-32-A, line 11, is more than \$1,000.

Enter "0" if:

- Form CT-5 was not filed, and
- the franchise tax plus tax surcharge on Form CT-32, line 9, or Form CT-32-A, line 11, is not more than \$1,000.

Line 9 - Prepayments include one or more of the following:  
— mandatory first installment from prior year;  
— installment payments made with Form CT-400; and  
— payments made with Form CT-5.

Line 13 - If you do not pay the MTB tax surcharge on or before the due date (without regard to any extension of time), you must pay interest on the amount of the underpayment from the due date to the date paid. You may call the Taxpayer Assistance Bureau for the current rate or to have the interest computed for you; call toll free (from within New York State only) 1 800 CALL TAX (1 800 225-5829); from areas outside New York State (518) 438-8581.

Line 14 - Additional charges for late filing and late payment are computed on the amount of tax less any payment made on or before the due date.

- If you do not file a return when due or if your application for extension is invalid, add to the tax 5% per month up to 25% (section 1085(a)(1)(A)).
- If you do not file a return within 60 days of the due date, the addition to tax cannot be less than the smaller of \$100 or 100% of the amount required to be shown as tax (section 1085(a)(1)(B)).
- If you do not pay the tax shown on a return, add to the tax, ½% per month up to 25% (section 1085(a)(2)).
- The total of the additional charges in a and c may not exceed 5% for any one month, except as provided for in b above (section 1085(a)).

If you think you are not liable for these additional charges, attach a statement to your return explaining the delay in filing and/or payment (section 1085).

Line 15 - If you underpaid your estimated tax, use Form CT-222, *Underpayment of Estimated Tax By Corporations*, to compute the penalty. Attach Form CT-222 and check box. If no CT-222 penalty is due, enter "0" on line 15.

No penalty will be imposed if by September 15, 1991, you filed a declaration of estimated MTB tax surcharge and made the required payments of MTB tax surcharge due prior to September 15, 1991.

Line 17 - If line 8 is less than line 11, subtract line 8 from line 11. This is the amount of overpayment. You may divide it on lines 18, 19 or 20 in any way you choose.