



# TaxNewsFlash

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## Final regulations: Air transportation excise taxes (text of regulations)

The IRS today posted to its website a version of the final regulations (T.D. 9948) relating to the excise taxes imposed on certain amounts paid for transportation of persons and property by air.

Read the [final regulations](#) [PDF 333 KB] (76 pages)

The version of the final regulations released today by the IRS includes the following statement:

*This document has been submitted to the Office of the Federal Register (OFR) for publication and will be pending placement on public display at the OFR and publication in the Federal Register. The version of the final rule released today may vary slightly from the published document if minor editorial changes are made during the OFR review process. The document published in the Federal Register will be the official document.*

Sections 4261 and 4271 impose excise taxes on certain amounts paid for transportation of persons or property by air. These are referred to as the "air transportation excise tax." Section 4261(e)(5)(A) was added to the Code by the 2017 tax law (Pub. L. No. 115-97 or the law that is also referred to as the "Tax Cuts and Jobs Act" (TCJA)) to provide that no tax is imposed by section 4261 or section 4271 on any amounts paid by an aircraft owner for aircraft management services related to maintenance and support of the aircraft owner's aircraft, or to flights on the aircraft owner's aircraft. Regulations proposed in July 2020 specifically addressed the exemption for amounts paid by aircraft owners for certain aircraft management services. Read [TaxNewsFlash](#)

The preamble to the final regulations states that the proposed regulations are adopted with modifications.

The purpose of this report is to provide text of the final regulations.

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