

accrues from the date of such notice and demand. Interest on additional tax prorated as described in paragraph (c) of this section accrues from the date prescribed for the payment of the first installment. For provisions generally applicable to interest on delinquent taxes and installment payments, see section 6601 and §301.6601-1 of this chapter (Regulations on Procedure and Administration).

(f) *Liabilities to which election does not apply.* The privilege to pay tax in installments provided by section 6156, shall not apply to any liability for tax incurred in

(1) Any taxable period ending prior to July 1, 1961, and

(2) April, May, or June of any taxable period one year in length, or

(3) July, August, or September of a taxable period less than one year in length.

(g) *Cross references.* For provisions relating to overpayment of installments, see §301.6403-1 of this chapter (Regulations on Procedure and Administration).

[T.D. 7409, 41 FR 9877, Mar. 8, 1976, as amended by T.D. 7505, 42 FR 42856, Aug. 25, 1977]

PART 43—EXCISE TAX ON TRANSPORTATION BY WATER

Sec.

43.0-1 Introduction.

43.4471-1 Imposition of tax.

43.4472-1 Definitions.

AUTHORITY: 26 U.S.C. 7805.

SOURCE: T.D. 8314, 55 FR 41520, Oct. 12, 1990, unless otherwise noted.

§ 43.0-1 Introduction.

The regulations in this part 43 are designated "Excise Tax on Transportation by Water." The regulations relate to the taxes on transportation by water imposed by section 4471 of the Internal Revenue Code. See part 40 of this chapter for regulations relating to returns, payments, and deposits of taxes imposed by section 4471.

[T.D. 8442, 57 FR 48185, Oct. 22, 1992]

§ 43.4471-1 Imposition of tax.

(a) *In general.* Section 4471 imposes a tax of \$3 per passenger on a covered voyage as is defined in section 4472.

(b) *By whom paid.* The tax is imposed on the person providing the covered voyage (the operator of the vessel).

[T.D. 8314, 55 FR 41520, Oct. 12, 1990. Redesignated by T.D. 8422, 57 FR 33636, July 30, 1992]

§ 43.4472-1 Definitions.

(a) *In general.* For definitions of the terms "covered voyage" and "passenger vessel," see sections 4472 (1) and (2).

(b) *Voyage.* For purposes of this section, "voyage" means a journey of a vessel that includes the outward and homeward trips or passages. The voyage commences when the vessel begins to load passengers and continues during the entire ensuing period until the vessel has made one outward and one homeward passage (including intermediate passages, if made). A voyage may be a covered voyage with respect to a passenger even if the passenger does not make both an outward and homeward passage or if the point of first embarkation or disembarkation by the passenger in the United States is an intermediate stop of the vessel.

(c) *Over 1 or more nights.* A voyage is considered to extend over 1 or more nights if it extends for more than 24 hours.

(d) *Engaged in gambling.* A passenger is engaged in gambling aboard a vessel if that person is participating as a player in any policy game or other lottery, or any other game of chance, for money or other thing of value, provided that the policy game, other lottery, or game of chance is conducted, sponsored, or operated by the owner or operator of the vessel, as either principal or agent, or by an employee, agent, or franchisee of the owner or operator of the vessel. A passenger is not engaged in gambling aboard a vessel if the passenger participates with other passengers in a casual, "friendly" game of chance that is not conducted, sponsored, or operated by the owner or operator of the vessel or by an employee, agent, or franchisee of the owner or operator.

(e) *Territorial waters.* For purposes of sections 4471 and 4472, the territorial waters of the United States are those waters within the international boundary line between the United States and any contiguous foreign country or