

17 NCAC 06C .0112 SEAMEN

(a) The Vessel Worker Tax Fairness Act, 46 U.S.C. 11108 prohibits withholding of state income tax from the wages of a seaman on a vessel engaged in foreign, coastwide, intercoastal, interstate, or noncontiguous trade or an individual employed on a fishing vessel or any fish processing vessel. Vessels engaged in other activity do not come under the restriction; however, any seaman who is employed in coastwide trade between ports in this State may have tax withheld if such withholding is pursuant to a voluntary agreement between such seaman and his employer.

(b) With respect to income obtained while:

- (1) engaged as a pilot (licensed under section 7101 of Title 46 of the Code or under the laws of a state) on a vessel performing duties in more than one state; or
- (2) performing regularly assigned duties as a master, officer or crewman on a vessel operating on the navigable waters of more than one state; an individual is subject to income tax only in the state and political subdivision in which the individual resides.

(c) Seamen and fishing boat crewmen exempt from withholding as specified above, shall determine whether they meet the requirements for paying estimated income tax.

*History Note: Authority G.S. 105-262; 46 U.S.C. Sec. 11108;
Eff. February 1, 1976;
Amended Eff. February 1, 2005; June 1, 1993; May 1, 1984; February 21, 1979;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 26, 2015.*