

## **Section 61.—Gross Income Defined**

26 CFR 1.61–21: *Taxation of fringe benefits.*

**Fringe benefits aircraft valuation formula.** The Standard Industry Fare Level (SIFL) cents-per-mile rates and terminal charges in effect for the second half of 2004 are set forth for purposes of determining the value of noncommercial flights on employer-provided aircraft under section 1.61–21(g) of the regulations.

## **Rev. Rul. 2004–70**

For purposes of the taxation of fringe benefits under section 61 of the Internal Revenue Code, section 1.61–21(g) of the Income Tax Regulations provides a rule for valuing noncommercial flights on employer-provided aircraft. Section 1.61–21(g)(5) provides an aircraft valuation formula to determine the value of such flights. The value of a flight is determined under the base aircraft valuation formula (also known as the Standard Industry Fare

Level formula or SIFL) by multiplying the SIFL cents-per-mile rates applicable for the period during which the flight was taken by the appropriate aircraft multiple provided in section 1.61–21(g)(7) and then adding the applicable terminal charge. The SIFL cents-per-mile rates in the formula and the terminal charge are calculated by the Department of Transportation and are reviewed semi-annually.

The following chart sets forth the terminal charges and SIFL mileage rates:

| <i>Period During Which<br/>the Flight Is Taken</i> | <i>Terminal<br/>Charge</i> | <i>SIFL Mileage<br/>Rates</i>         |
|--|----------------------------|---------------------------------------|
| 7/1/04 - 12/31/04                                  | \$35.21                    | Up to 500 miles<br>= \$.1926 per mile |
|  |                            | 501–1500 miles<br>= \$.1469 per mile  |
|  |                            | Over 1500 miles<br>= \$.1412 per mile |

## **DRAFTING INFORMATION**

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