OKLAHOMA TAX COMMISSION

TAX POLICY AND RESEARCH DIVISION
TONY MASTIN, DIRECTOR

PHONE (405) 521-3133
FACSIMILE (405) 522-0063

April 13, 2000

Re: Our File Number LR-00-38; Point of sale on taxable services

Dear

Please be advised that the place of delivery of a company's repairs of oil field pump parts is the "point of sale" for municipal sales tax purposes. This determination is based on Oklahoma Statute Title 68, Section 1352 (13)(b), which states that "If a consumer, from a location outside the jurisdiction in which the vendor is engaged in business, orders or requests, by mail or telephonic or telegraphic device, to buy tangible personal property or services, the point of sale shall be the place of delivery, regardless of the manner of transportation."

Once the location of the sale has been determined, the appropriate city and/or county sales tax (if any) for the location should be added to the price and collected, reported and remitted in the same manner as the state sales tax.

This response applies only to the circumstances set out in your request of January 31, 2000 and may not be relied upon by any entity other than the addressee. In the event of any change in the facts surrounding the transaction described, this letter ruling would no longer be applicable. You are further advised that subsequent statutory or administrative rule changes or judicial construction of the statutes or rules upon which this advice is based may yield a different result from that which is expressed here.

If I can be of further assistance, please feel free to contact me.

Sincerely,

Brenda J. Sullivan
Tax Policy Analyst