OKLAHOMA TAX COMMISSION

TAX POLICY DIVISION
RICK MILLER, DIRECTOR

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July 19, 2013

RE: LR-13-015 (Sales Tax Inquiry)

Dear

This letter is in response to your request regarding Oklahoma sales tax. Set forth are the facts presented along with the response thereto.

Question:

Can the OTC provide you a letter stating that paint materials is subject to sales tax by the vehicle owner and that we , are acting consistent with the law as interpreted by the Oklahoma Tax Commission? Our position is that we would like to purchase, free of tax for re-sale, items which remain on the vehicle after the vehicle is repaired. At the time of delivery to the vehicle owner, we will collect sales tax on the portion of the sales titled "paint materials" and remit it to the state of Oklahoma, along with other tax collected through the sale of parts.

Response:

Pursuant to OAC 710:65-19-11, copy enclosed, can purchase paint and like materials which are furnished to customers in connection with the automotive repair service exempt from sales and use tax. Consequently, is required to collect Oklahoma state and any applicable local sales tax from its customers on the sale of paint materials and report and remit these amounts to the Tax Commission.

This response applies only to the circumstances discussed in your written request of March 25, 2013. Pursuant to Oklahoma Administrative Code 710:1-3-73(e), this Letter Ruling may be generally relied upon only by the entity to whom it is issued, assuming that all pertinent facts have been accurately and completely stated, and there has been no change in applicable law.

Sincerely,

OKLAHOMA TAX COMMISSION

Marc Morrison
Tax Policy Analyst