

17 NCAC 07B .0112 OCCASIONAL AND ISOLATED SALES

(a) An occasional and isolated sale occurs when the seller sells an item, as the term item is defined in G.S. 105-164.3, that is not of, or similar to, the type of item that the seller is engaged in the business of selling. For example, a person selling a personally owned bicycle is not making an occasional and isolated sale if the person operates a bicycle store. Occasional and isolated sales do not include sales of items by a facilitator liable for collecting and remitting tax on the sale.

(b) Household items. -- Owners making occasional and isolated sales of household items, on which the sales or use tax due was paid at the time of the initial purchase by the owner, are not required to collect and remit sales or use tax on the sale. For example, an individual making an occasional and isolated sale of a personally owned boat, is not required to collect and remit sales or use tax on the sale of the boat.

(c) Business items. -- Businesses making occasional and isolated sales of items owned by the business, upon which the sales or use tax due was paid at the time of the initial purchase by the business, are not required to collect and remit sales or use tax on the sale. For example, a manufacturer's occasional and isolated sale of its worn out, obsolete, or surplus machinery, accessories, and similar items is not subject to sales tax, as long as the manufacturer is not engaged in the business of making retail or wholesale sales of similar property.

History Note: Authority G.S. 105-164.3; 105-164.4; 105-164.6; 105-262; 105-264;
Eff. February 1, 1976;
Readopted Eff. January 1, 2024.