SECTION .2900 – VENDING MACHINES

17 NCAC 07B .2901 SALES THROUGH VENDING MACHINES

(a) Requirement. -- A person who sells tangible personal property through a vending machine is a retailer and shall register with the Department in accordance with 17 NCAC 07B .0104, and remit sales and use tax on the sales price of the items sold.

(b) Sales Price Subject to Tax. – Pursuant to G.S. 105-164.13(50), tobacco products and newspapers sold through a vending machine are taxed on 100 percent of the sales price for which the property is sold. Other tangible personal property sold through a coin-operated vending machine are taxed on 50 percent of their sales price. All items sold through a vending machine that is not coin-operated are taxed on 100 percent of the sales price for which the property is sold.

(c) Failure of a retailer to keep records that establish which vending machine sales are taxable at 50 percent of the sales price subjects the retailer to liability of 100 percent of the sales price for sale tax on the sale.

History Note: *Authority G.S. 105-164.3; 105-164.4; 105-164.22; 105-262; 105-264; 105-467; 105-468; 105-469; 105-483; 105-498; 105-507.2; 105-509.1; 105-510.1; 105-511.3; 105-537; 105-538;*
Eff. February 1, 1976;
Amended Eff. April 1, 2006; July 1, 2000; October 1, 1993; June 1, 1992; July 1, 1989;
Readopted Eff. January 1, 2024.