



## Ohio Administrative Code Rule 5703-9-52 Delivery charges.

Effective: July 20, 2019

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(1) Charges by the vendor or seller for preparation and delivery to a location designated by the consumer of taxable tangible personal property or of a taxable service, including charges for transportation, shipping, postage, handling, crating, and packing, are defined as part of the price for determining the tax.

(2) Charges paid by a customer to a delivery company, and not imposed or collected by the vendor or seller of the delivered property or service, are not subject to sales or use tax.

(B) A vendor or seller should allocate the delivery charge in any shipment to a consumer that includes separately stated taxable and exempt property by using either of the following ratios:

(1) The ratio of the total sales prices of all taxable property in the shipment to the total sales prices of all property in the shipment, or

(2) The ratio of the total weight of the taxable property in the shipment to the total weight of all property in the shipment.

(1) When a vendor or seller allocates a delivery charge as provided in paragraph (B) of this rule, the vendor or seller must tax the portion of the delivery charge allocated to the taxable property but not the portion allocated to the exempt property.

(2) If a vendor or seller does not allocate the delivery charge in any transaction as described in paragraph (B) of this rule, and any portion of the transaction is taxable, the vendor or seller must charge tax on the entire delivery charge for the shipment.

(D) In any case where a vendor or seller allocates a delivery charge in accordance with paragraph (B)(1) or (B)(2) of this rule, no refund shall be allowed based on an objection to the method of allocation chosen.