

Sec. 12-407(2)(i)(T)-1. Locksmith services

(a) Definitions.

(1) The term “locksmith services” means repairing, servicing or installing locks and locking devices, whether such locks and locking devices are incorporated into real property, such as a deadbolt lock on a door to a building, or are incorporated into tangible personal property, such as a door lock on an automobile, or are locks separate and apart from other property, such as padlocks. The term “locksmith services” also includes unlocking locks or locking devices when a customer is unable to do so, such as when the key to a motor vehicle is locked inside such vehicle. The term “locksmith services” does not include key making or sales of locks and locking devices, which are taxable as sales of tangible personal property. Charges for the installation of locks and locking devices, if separately stated from the charge for locks and locking devices on the bill to the customer, are taxable as locksmith services, and, if not separately stated, are taxable as part of the charges for sales of locks and locking devices.

(2) An “integral part” means a part, such as a bolt, that retains its separate identity even after being incorporated into a repaired lock. The term “integral part” does not include materials, such as graphite or oil, that do not retain their separate identity after being used to repair a lock or locking device, but are consumed by such service provider in repairing the locks or locking devices.

(b) Charges made by providers of locksmith services.

(1) Providers of locksmith services shall separately state the charge attributable to the sale of integral parts and the charge attributable to rendering locksmith services on the bill to the customer. Any fees, such as “service call” charges, minimum charges, hourly or flat rates, mileage charges, or pickup or delivery charges, are taxable as charges for locksmith services.

(2) The fact that property on which a lock is installed was exempt from tax when it was purchased by a recipient of locksmith services does not mean that services rendered to it are not taxable. Thus, for example, locksmith services to a commercial truck are taxable, even though the purchase of the truck was exempt under section 12-412(70) of the general statutes.

(3) Retailers of tangible personal property who purchase locksmith services for tangible personal property that such retailers are holding for sale, lease or rental in the normal course of business may purchase the locksmith services and the integral parts, as provided in this section, on resale.

(c) Purchases by service providers. Sales of repair parts to a provider of locksmith services who uses those parts in repairing locks or locking devices are sales for resale to such provider if, when used, such parts become an integral part of the repaired locks or locking devices. Because providers of locksmith services are considered to be the consumers of supplies used in rendering their services, sales of tangible personal property, other than integral parts, to a provider of locksmith services who uses such property in repairing locks or locking devices are retail sales and are taxable.

(d) See Conn. Agencies Regs. § 12-407(2)(i)(DD)-1 for rules regarding the taxation of locksmith services rendered under maintenance, repair or warranty contracts.

(e) Where locksmith services are deemed to be rendered.

(1) A sale of locksmith services rendered with respect to locks or locking devices incorporated into buildings or other real property shall be taxable if the location of such real property is within Connecticut.

(2) (A) Locksmith services rendered with respect to tangible personal property shall be taxable if the repairs to, servicing or installation of the locks are made in Connecticut. If the repairs, servicing or installation are done within Connecticut, the sale of locksmith services shall be taxable, notwithstanding the fact that the materials consumed in rendering such services were purchased outside Connecticut, the contract for services was negotiated or executed outside Connecticut, some of the work with respect to such services is performed for the locksmith outside Connecticut, the bill or invoice for such services is mailed to or from an address outside Connecticut, or the purchaser of such services is a nonresident. However, when a Connecticut locksmith picks up a lock or tangible personal property containing a lock from outside Connecticut, or a lock or tangible personal property containing a lock is shipped from outside Connecticut to the locksmith in Connecticut, locksmith services are rendered to the lock or item of tangible personal property containing a lock in Connecticut, and the lock or tangible personal property containing a lock is delivered or shipped to the customer at an out-of-state location, the locksmith services, and any integral parts sold therewith, are not taxable in Connecticut.

(B) Persons purchasing locksmith services with respect to tangible personal property from out-of-state retailers shall pay Connecticut use tax on such purchases if the item being repaired is intended for use and is used within Connecticut.

(Adopted effective April 7, 1999)