**Private Letter Ruling**

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| **Ruling Number:** | **P-2002-090** |

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| **Tax Type:** | **Kansas Retailers' Sales Tax** |
| **Brief Description:** | **Guaranteed Auto Protection (GAP) premiums.** |
| **Keywords:** |  |
| **Approval Date:** | **11/05/2002** |

**Body:**

Office of Policy & Research

November 5, 2002

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Dear Mr. TTTTTT:

We wish to acknowledge receipt of your letter dated November 2, 2002, regarding the application of Kansas Retailers’ Sales tax.

The Kansas sales tax is imposed the privilege of engaging in the business of selling tangible personal property at retail in this state or the rendering or furnishing of any services taxable under the Kansas Retailers’ Sales Tax Act.

Please be advised that the GAP (Guaranteed Auto Protection) premium would be viewed as the sale of insurance in the state of Kansas. Therefore, the respective premium would not be subject to sales tax in this state.

This is a private letter ruling pursuant to K.A.R. 92-19-59. It is based solely on the facts provided in your request. If it is determined that undisclosed facts were material or necessary to an accurate determination by the department, this ruling is null and void. This ruling will be revoked in the future by the operation of law without further department action if there is a change in the statutes, administrative regulations, or case law, or published revenue ruling, that materially effects this private letter ruling. If I may be of further assistance, please contact me at your earliest convenience at (785) 296-7776.

Sincerely yours,

Thomas P. Browne, Jr.
Tax Specialist

TPB

**Date Composed: 11/15/2002 Date Modified: 11/15/2002**