



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

JACK CONWAY
ATTORNEY GENERAL

1024 CAPITAL CENTER DRIVE
SUITE 200
FRANKFORT, KENTUCKY 40601

VIA US MAIL AND EMAIL

June 22, 2011

REGARDING: TRANSIENT MERCHANTS, INCLUDING SELLERS OF FIREWORKS

Dear County Clerk:

With the July 4th holiday approaching, our office wanted to remind all County Clerks about the fact that Kentucky has a Transient Merchant statute (KRS 365.650 to .695) that requires a merchant who spends less than 6 months in a locality in Kentucky each year, and who is not exempted, to **obtain a permit from the county clerk** of each county in which it conducts business 10 days in advance of the sale, and **post a cash or surety bond with the Office of the Kentucky Attorney General. This includes transient sellers of fireworks.**

House Bill 333 signed by Gov. Steve Beshear in March expanded the type of permissible fireworks in the state and added the addition of an application with the Kentucky Fire Marshall's Office; however, it has come to the attention of this office that many of these "seasonal vendors" selling fireworks may be unaware that they are **still required** to register with the County Clerk's office in each county in which the vendor is selling fireworks and post a cash or surety bond with the Office of the Kentucky Attorney General prior to any sales taking place.

Please ensure that all transient merchant applicants are held in pending status until receipt of a Certificate of Security from this office ensuring a bond is on file. For your convenience, here is a web link to our transient merchant statute KRS 365.650 to .695:
<http://www.lrc.ky.gov/KRS/365-00/CHAPTER.HTM>. If you have any questions, please do not hesitate to contact me.

Sincerely

JACK CONWAY
ATTORNEY GENERAL

Angela M. Rhodes
Consumer Protection Division
502-696-5389 ext. 5393

