

**351.367 Permit to purchase, receive, or take possession of explosives --
Procedures -- Restrictions -- Records.**

- (1) No person, firm, association, or corporation shall purchase, receive, or take possession of explosives without first obtaining a permit from the department.
- (2) The application for a permit to purchase, receive, or take possession of explosives shall be on a form prescribed by the department and shall be accompanied by an application fee of twenty dollars (\$20). The application shall indicate the applicant's name, address, type of business, the location at which the explosives will be used and stored, and the purpose for which the explosives will be used. On those operations for which licensed blasters or certified shotfirers are required, their names and license numbers or certification numbers shall be included on the application.
- (3) Any person, firm, association, or corporation who procures a license from the department to operate a coal or clay mine, pursuant to KRS 351.175, and who at the time of application for license requests a permit to purchase, receive, or take possession of explosives, shall be issued a permit by the department without cost to the applicant.
- (4) Permits to purchase, receive, or take possession of explosives shall be valid for a period not to exceed one (1) year from the date of issue and shall not be transferable.
- (5) Permits shall be issued only to those persons, firms, associations, or corporations who have proper facilities to store explosives, or to those who provide to the department a written plan documenting the manner in which any excess explosives shall be handled and returned to proper storage facilities.
- (6) Explosive materials shall not be sold, given, delivered, or transferred to any person not possessing a valid permit to purchase or receive them.
- (7) Anyone who sells, gives, or distributes explosives shall maintain accurate records for each sale or gift of explosives, listing the name, address, and permit number of the person or company receiving the explosives and the quantity and types of explosives received.
- (8) The commissioner may suspend a permit for a period of twenty (20) days for due cause; however, a permit may not be revoked until completion of a hearing, which shall be conducted in accordance with KRS 351.345.
- (9) Explosives which are transferred, sold, or distributed, for the purpose of resale, by a registered explosive dealer or manufacturer to another registered dealer or manufacturer shall be exempt from the provisions of this section.

Effective: July 15, 1996

History: Created 1996 Ky. Acts ch. 151, sec. 1, effective July 15, 1996.