

REQUIREMENTS FOR COMPLETING
A TRANSIENT MERCHANTS LICENSE APPLICATION

The State of North Dakota requires those who conduct temporary business within this state to obtain a Transient Merchant's License from the Attorney General's Office.

A business selling livestock or agricultural products is exempt from having to obtain the transient merchant's license.

The State of North Dakota requires that each employee or sales person transacting business in the state on behalf of the licensed transient merchant have in their immediate possession at all times a transient merchant's license. Each licensed transient merchant employee or sales person will be issued a transient merchant license card. The transient merchant license cards are nontransferable. A company **must** obtain a new transient merchant license card for each new or replacement employee or sales person acquired (no additional fee is required).

Until a license has actually been issued and is in the possession of all of your employees or sales persons, you may not conduct business in the state. If you intend to begin conducting business in the State of North Dakota within a two-week period of submitting the application, to ensure that your license(s) are issued in a timely manner, it is suggested that the license fee be submitted in the form of a money order or cashier's check. If a personal or business check is submitted for the payment of a license fee, a license will not be issued for a minimum of two weeks from the date of receipt in our office.

The transient merchant license is valid in all counties of the state for one year from the date of issuance. You must verify independently with any city or county within the state where you intend to conduct business for any additional licenses or permits they may require. All state laws and city/county ordinances must be complied with at all times while conducting business in this state.

The following procedure should be used in applying for a transient merchant's license:

1. Complete the enclosed application form fully. Be certain to sign the form before a notary public.
2. New applicants are required to complete the resident agent section of the application.
3. Enclose the \$200 license fee. Payment should be made payable to the Office of Attorney General.
4. Enclose a photocopy of your North Dakota sales tax permit if you are required to have one. If you are not sure whether you are required to have a sales tax permit, you should contact the Sales Tax Department of the Tax Commissioner's Office at (701) 328-3470.
5. Submit an inventory and price list of all merchandise you will be selling in the state.
6. A list of all employees/agents/representatives doing business in the state is required. It must include the following: name, home address, home telephone number, and a signed photograph. (Recognizable copy of driver's license will suffice in place of a photograph.)
7. Corporations, limited liability companies, etc., must be properly registered with the North Dakota Secretary of State. To register your business with the Secretary of State's office, please call 1-800-352-0867 ext. 8-4284.
8. For an initial application, the surety bond must be completed on the enclosed transient merchant bond form. Take the bond form to an insurance company for processing. (Notice of the bond amount required is attached to the bond form.) If you wish to provide cash in lieu of the surety bond, please contact the Licensing Section for the required form.
9. If you are renewing your transient merchant license, provide documentation to substantiate that your transient merchant surety bond is currently in effect.

If you have any questions, please feel free to contact the Licensing Section at (701) 328-2329.

Return all documents to:

OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
600 E BOULEVARD AVE DEPT. 125
BISMARCK, ND 58505-0040