**Section 235.110 Consumer Distributors and Retailers**

a) Prior to distributing, selling, transferring or providing free of charge any consumer fireworks, consumer distributors and consumer retailers shall require an individual to provide proof that he/she has been issued a permit in accordance with Section 235.90, or that he/she has registered with OSFM as a consumer distributor or consumer retailer in accordance with this Section.

1. All consumer distributors and consumer retailers must register with OSFM before distributing, selling, offering for sale, exchanging for consideration, transferring or providing free of charge consumer fireworks in the State of Illinois and before advertising or using any title implying that the person is a consumer distributor or retailer. The applicant shall register on forms provided by OSFM that shall include:

1) The name and address of the business. The address shall be an actual street address and shall include the city, state and zip code. A post office box number is not acceptable as an address.

2) The names, telephone numbers, and personal addresses of all owners or officers of the registering business, including a copy of each person's driver's license or other governmental identification that includes the date of birth and photograph.

3) If the business operates under an assumed name, a copy of the assumed name certificate.

4) The address of each location from which consumer fireworks will be distributed or retailed.

5) The applicant's taxpayer identification number and proof of payment of taxes to the Illinois Department of Revenue (DOR). If the applicant does not pay taxes to DOR, the applicant shall submit a statement, sworn to under penalty of perjury, from the applicant or its tax preparer identifying why taxes are not paid.

6) The fee of $50 shall be payable by check to the Office of the State Fire Marshal for each location.

7) A copy of the letter or permit issued by the local governmental authority authorizing the applicant to distribute, sell, offer for sale, exchange for consideration, transfer or provide free of charge consumer fireworks at the locations identified in subsection (b)(4).

1. OSFM shall issue a registration to transfer, provide, distribute and/or sell consumer fireworks or shall notify the applicant of the reason for the denial of registration.
2. Registration shall permit the consumer distributor or consumer retailer to transfer, provide, distribute and/or sell consumer fireworks in Illinois for the calendar year in which registered.
3. The consumer distributor or consumer retailer shall register each location from which it distributes or retails consumer fireworks separately.
4. The registrant shall notify OSFM in writing within 10 business days after the change in any of the information it provided to OSFM to obtain registration. Proof that a change in name or address has been done in accordance with the law shall be sent to OSFM, including copies of new assumed name certificates. In the event a business has changed its officers, a sworn statement listing all of the current officers' names and personal addresses, including copies of each officer's driver's license, shall be sent to OSFM.

1. *No person may sell to a single individual a quantity of consumer fireworks exceeding 499 pounds without prior approval by OSFM.* [425 ILCS 35/2.3] Requests for such approval shall be submitted in writing to OSFM.

h) OSFM will not accept any applications to register a consumer distributor or retailer or for a new location after June 15 for the current July 4th season.

(Source: Amended at 34 Ill. Reg. 16562, effective October 6, 2010)