

79-3405. Additional bond; financial statements; revocation of license; release of sureties; renewal of license; interstate commerce exempt. The director may at any time require any distributor, manufacturer, importer or exporter to furnish such additional bond with authorized corporate surety, as shall be necessary to secure at all times the payment by such person to the state of all taxes, penalties and interest due under the provisions of this act. If any distributor, manufacturer, importer or exporter shall fail to file such additional bond within 10 days after receipt of written notice mailed or otherwise delivered to such person by the director, the director may suspend or revoke the license or licenses issued to such person, and collect all taxes, penalties and interest accrued against such distributor, manufacturer, importer or exporter. For the purpose of determining whether an existing bond or bonds are sufficient, the director may at any time, by mailed written notice, or otherwise delivered, require any distributor, manufacturer, importer or exporter to furnish a financial statement in such form as the director may prescribe. Upon failure of any distributor, manufacturer, importer or exporter to furnish a sworn financial statement within 20 days after receipt of such written notice, the director may suspend or revoke any or all licenses issued to such person, and shall collect all taxes, penalties, and interest accrued against such distributor, manufacturer, importer or exporter.

Any surety on a bond furnished by a distributor, manufacturer, importer or exporter as provided shall be released and discharged from any and all liability to the state accruing on such bond after the expiration of 60 days from the date upon which such surety shall have lodged with the director a written request to be released and discharged, but this provision shall not operate to relieve, release, or discharge the surety from any liability already accrued or which shall accrue before the expiration of the sixty-day period. The director shall promptly, upon receiving any such request, notify the distributor, manufacturer, importer or exporter who furnished the bond and unless the distributor, manufacturer, importer or exporter shall, on or before the expiration of such sixty-day period, file with the director a new bond fully complying with the provisions of this act, the director shall revoke and cancel such distributor's, manufacturer's, importer's or exporter's license or licenses and notify the distributor, manufacturer, importer or exporter by registered mail or otherwise.

Licenses issued under the provisions of this act may be renewed annually before the first day of November upon an application to the director, but no licenses shall be renewed until the applicant shall file with the director a bond in such amounts as shall be fixed by the director and fully complying with the provisions of this act. Nothing contained in this act shall require the filing of an application or bond, or the possession or display of a motor-vehicle-fuels or special fuels license, for the use, sale and delivery of motor-vehicle fuels or special fuels exclusively in interstate or foreign commerce not within the taxing power of the state, or for use by, or sale or delivery to, the United States government.

History: L. 1933, ch. 317, § 5; L. 1939, ch. 330, § 3; L. 1992, ch. 106, § 7; L. 1995, ch. 262, § 27; July 1.