

HB 1400 -- Regulation of Fireworks

Sponsor: Lager

This bill changes the laws regarding fireworks regulations. The bill:

- (1) Creates new definitions including "American Pyrotechnic Association, Standard 87-1," "discharge site," and "pyrotechnic operators";
- (2) Requires persons to obtain an applicable federal permit or license before manufacturing, selling, or shipping fireworks;
- (3) Requires wholesalers and jobbers of fireworks who operate multiple locations to obtain the required permits for each location;
- (4) Authorizes the State Fire Marshall to refuse to issue a required permit to an applicant for submitting false statements or declarations on an application;
- (5) Increases the fees for required permits and establishes new fees;
- (6) Authorizes the State Fire Marshall to develop rules pertaining to training, examination, and licensing of licensed operators and pyrotechnic operators responsible for the use of display and proximate fireworks;
- (7) Requires seasonal retail permit locations for fireworks to be in compliance with all applicable building and fire regulations. These locations may be subject to a fire safety inspection by the State Fire Marshall;
- (8) All persons selling, bartering, or exchanging fireworks and locations where fireworks are stored are subject to a safety inspection which will be conducted during normal business hours;
- (9) Requires all costs associated with a fireworks seizure to be the responsibility of the adjudicated party if the case disposition is in favor of the State Fire Marshall. Persons who sell, manufacture, or ship fireworks without obtaining the required permit will be assessed a civil penalty up to \$1,000 each day, up to a maximum of \$10,000;
- (10) Establishes new provisions pertaining to the licensure of entities associated with display and proximate fireworks;
- (11) Prohibits wholesalers, jobbers, or seasonal retailers from

offering or selling prohibited consumer fireworks;

(12) Revises the definition for "ground salutes" (cherry bombs) and other tubular salutes;

(13) Revises a provision pertaining to the discharge of permissible consumer fireworks from a motorized vehicle, which includes watercraft;

(14) Prohibits proximate fireworks from being stored with consumer fireworks. Storage and transportation of fireworks are required to meet all federal and state rules and regulations; and

(15) Revises certain penalty provisions.