

## Fireworks Frequently Asked Questions

### **Q: Can I use fireworks in Pennsylvania?**

A: State law prohibits the use of Consumer and Display Fireworks in Pennsylvania without a permit.

Items defined as "ground and hand-held sparkling devices", "novelties" and "toy caps" in American Pyrotechnics Association (APA) Standard 87-1 are not currently regulated by State Law; therefore, their sale and use are permissible. These "non-fireworks" are the only types allowed to be sold from tents, stands, convenience stores, retail establishments and other various outlets not licensed by the Department of Agriculture.

(Title 35, Chapter 13A, Sections 1271 & 1275)

### **Q: Can I buy regular fireworks – not sparklers or novelty items -- under any conditions?**

A: This answer depends on whether or not you are a Pennsylvania resident.

Pennsylvania residents: May purchase Consumer Fireworks only with a display permit issued by the municipality wherein the display will take place.

Non-residents: An amendment to the Fireworks Law, effective November 30, 2004, makes it legal, upon proof of out-of-state residency status, to purchase Consumer Fireworks from a facility licensed by the Pennsylvania Department of Agriculture provided the Consumer Fireworks are transported directly out of state by the seller or purchaser.

(Title 35, Chapter 13A, Section 1275)

### **Q: How do I get a permit for a fireworks display?**

A: The Commonwealth does not issue permits for firework displays and does not oversee the issuance of permits by the municipalities.

A permit for a fireworks display must be obtained from the municipality where the display will take place. The municipality is the only governing body with authority to issue this permit under reasonable rules and regulations adopted by them. Upon inspection of the display site by the fire chief, or other designated officer, and the posting of a bond of at least \$500 for any possible damages, the municipality may

issue a permit to a person they deem competent.

If you are hiring someone to perform the display, that person or corporation must be registered with the Pennsylvania Office of Attorney General. If you are not hiring someone, you can attempt to obtain the status of "competent operator" from the municipality where the display will take place.

Questions concerning display permits should be directed to the appropriate municipality.

Any business entity that performs, provides or supervises fireworks displays or exhibitions for profit must register annually with the Office of Attorney General. For more information, contact the Office of Attorney General, Criminal Law Division, at [\(717\) 787-3391](tel:7177873391).

(Title 35, Chapter 13A, Sections 1273, 1274, 1275.2 & 1276.2)

## **Q: Who enforces the Fireworks Law?**

A: Any Law Enforcement Officer having jurisdiction may make an arrest and confiscate fireworks under the Fireworks Law. To report a violation of the Fireworks Law contact the Police Department servicing your area as would to report any other crime.

(Title 35, Chapter 13A, Section 1278)

## **Q: What precautions should people take when using permitted novelty items or sparklers?**

A: It's best to leave any type of fireworks to the experts. But if you decide to use permitted novelty items or sparklers:

- Always read and follow the instructions carefully.
- Use items outside in an open area.
- A responsible adult should supervise all activities.
- Only light one item at a time.
- Place used items in a bucket of water prior to properly disposing of them.

## **Q: What else should I know about fireworks?**

A: Cherry bombs, M-80s, M-100s, silver salutes and other illegal fireworks are all extremely dangerous. In addition, fireworks constructed from mail order kits are illegal and dangerous to assemble or use. Never attempt to make your own fireworks or tamper with fireworks.

## Other Links of Interest

[Pennsylvania Fireworks Law](#) - Title 35 Health and Safety

U.S. Bureau of Alcohol, Tobacco and Firearms – [Federal Explosive and Firework regulations](#)

U.S. Consumer Products Safety Commission - Safety and Federal Regulations

<http://www.cpsc.gov/BUSINFO/regsumfirework.PDF>

<http://www.cpsc.gov/LIBRARY/2007fwreport.pdf>

U.S. Bureau of Alcohol, Tobacco and Firearms – [Federal Explosive and Firework regulations](#)

U.S. Consumer Products Safety Commission - Safety and Federal Regulations

<http://www.cpsc.gov/BUSINFO/regsumfirework.PDF>

<http://www.cpsc.gov/LIBRARY/2007fwreport.pdf>

Pennsylvania Department of Environmental Protection, Bureau of Mining and Reclamation Explosives - Blasters licensing and storage approval

<http://www.dep.state.pa.us/dep/deputate/minres/Districts/Blasting/blasting.htm>

Pennsylvania Department of Agriculture – Regulations and Licensing of Consumer Fireworks Retail Facilities

[http://www.portal.state.pa.us/portal/server.pt/gateway/PTARGS\\_0\\_151881\\_24476\\_10297\\_0\\_43/http%3B/10.41.0.77/AgWebsite/ProgramDetail.aspx?name=Consumer-Fireworks&navid=12&parentnavid=0&palid=45&](http://www.portal.state.pa.us/portal/server.pt/gateway/PTARGS_0_151881_24476_10297_0_43/http%3B/10.41.0.77/AgWebsite/ProgramDetail.aspx?name=Consumer-Fireworks&navid=12&parentnavid=0&palid=45&)

American Pyrotechnic Association (APA) - Directory of State Laws and other Industry Information

<http://www.americanpyro.com>