

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 1089  
**Version:** As introduced

**DATE:** March 4, 2015

**Authors:** Rarick and others

**Subject:** Regulating the manufacture, sale, and use of fireworks

**Analyst:** Jeffrey Diebel

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### Overview

This bill expands the list of legal fireworks to include aerial and audible devices, changes the license fee process for aerial and audible devices, and limits regulations imposed on the sale of sparkling devices and novelties.

#### Section

**1** **Regulation.** Strikes language in current law on fireworks, including the definition of fireworks.

Adds definitions for: "APA 87-1," "aerial and audible devices," "display fireworks," "fireworks," "novelties," and "sparkling devices." Maintains the requirements in current law that "legal fireworks" may not be used on public property or purchased by persons younger than 18 years of age, and that persons selling legal items verify the purchaser's age by photographic identification. Since the bill expands what items are legal, these restrictions are applied to a broader class of items.

Strikes language capping the annual license fees that local units of government may charge to retail sellers of legal items. Authorizes local governments to charge a reasonable license fee to retail sellers of aerial and audible devices based on public safety and inspection factors. Prohibits local units of government from imposing other fees on the retail or wholesale sale of aerial and audible devices. Provides that counties have the same authority as statutory cities to regulate the use of aerial and audible devices, display fireworks, sparkling devices, and novelties. Restricts the use of aerial and audible devices to between June 1 and July 7.

**Section**

Prohibits local units of government from imposing any permit, license fee, or charge on the retail or wholesale selling of novelties or sparkling devices or from enacting any ordinance, rule, or regulation prohibiting, limiting, or restricting the wholesale or retail selling of these items.