

**Q Was a new law adopted recently that changed who may purchase and use fireworks in Pennsylvania?**

**A** Yes. Act 43 of 2017 made several changes to who may buy and sell fireworks in the commonwealth.

**Q We understand that Pennsylvania residents may now purchase fireworks at licensed facilities in Pennsylvania. What types of fireworks does this include?**

**A** This includes consumer-grade fireworks with a maximum of 50 milligrams of explosive material. Examples include firecrackers, roman candles, and bottle rockets. They are also known as "1.4G fireworks."

**Q Are there any additional restrictions on who may purchase these consumer fireworks?**

**A** Anyone age 18 and older may purchase and use consumer-grade fireworks in Pennsylvania.

**Q Our township used to issue permits for the purchase and use of consumer fireworks. May we still require our residents to obtain a permit?**

**A** No. Municipalities may no longer require a permit for the purchase or use of consumer fireworks.

**Q Does Act 43 place any restrictions on where or how consumer fireworks may be used?**

**A** Yes, Act 43 stipulates that consumer fireworks cannot be ignited or discharged under the following conditions:

- within 150 feet of any occupied structure;
- on public or private property without express permission of the property owner;
- from, within, or toward a motor vehicle or building; or
- by a person who is under the influence of alcohol, a controlled substance, or another drug.

**Q Are there resources we can use to promote the safe use of consumer fireworks?**

**A** Yes, the American Pyrotechnics Association has resources available at [www.americanpyro.com](http://www.americanpyro.com). The association also has a website, [www.celebratesafely.org](http://www.celebratesafely.org), that promotes fireworks safety.



**Q Where may consumer fireworks be purchased?**

**A** Consumer fireworks may be purchased from any licensed fireworks facility in Pennsylvania, including temporary facilities.

**Q Who is responsible for overseeing fireworks facilities?**

**A** The Pennsylvania Department of Agriculture oversees and issues permits for these facilities.

**Q How can we verify that a temporary fireworks facility is properly licensed to sell consumer fireworks?**

**A** The Ag Department has a map that lists all approved temporary and permanent fireworks facilities. To view the map, go to [www.agriculture.pa.gov](http://www.agriculture.pa.gov), choose "Business & Industry," and then "Fireworks."

**Q Are there any additional restrictions on temporary fireworks facilities?**

**A** Yes. First, they can only sell fireworks from June 15 to July 8 and December 21 to January 2 of each year. Second, these facilities may only sell the following types of consumer fireworks: helicopters and aerial spinners, roman candles, and mine and shell devices not exceeding 500 grams.

In addition, these structures must be secured at all times, carry liability insurance, be at least five miles from permanent fireworks facilities, and comply with NFPA 1124. The operators must post an evacuation plan, have an outdoor storage unit that is separate from the wholesale or retail area, and locate their business at least 250 feet from a facility storing,

selling, or dispensing gasoline, propane, or other flammable products.

**Q Must licensed, temporary fireworks facilities comply with township zoning regulations?**

**A** Yes. In fact, the application for a temporary structure requires the operator to have a permit or other documentation that allows the temporary structure at the stated location.

**Q If an unlicensed tent facility is selling consumer fireworks, who can shut it down?**

**A** The Pennsylvania State Police, a sheriff, or local police officer may shut down illegal facilities and remove the fireworks.

**Q What about professional displays of fireworks? Are permits required for these?**

**A** Yes, municipalities may continue to issue permits for professional displays of fireworks, termed "display fireworks" in the new act. In fact, Act 43 requires municipal permit and site inspections before these professional displays are held.

Keep in mind that the minimum requirements for issuing permits for display fireworks have changed. Act 43 requires operators to be 21 or older and post a minimum bond of \$50,000. It also prohibits displays within 300 feet of a structure selling consumer fireworks. In addition, federal law requires anyone using display fireworks to have an appropriate federal license.

**Q What are "display fireworks"?**

**A** Display fireworks include salutes that contain more than two grains or 130 milligrams of explosive materials and professional-grade aerial shells containing more than 60 grams of pyrotechnic compositions. They are also known as "1.3G fireworks" and can only be used by professionals with a municipal permit.

**Q If an operator has registered with the state Attorney General's Office to present a professional fireworks display, does he also need a permit from the township?**

**A** Yes. A municipal display permit is needed even if the operator has registered with the state.