



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 478

H.P. 328

House of Representatives, February 14, 2013

An Act To Require a Local Permit for the Use of Fireworks

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative PLANTE of Berwick.
Cosponsored by Representatives: LAJOIE of Lewiston, MARKS of Pittston, Senator:
GERZOFSKY of Cumberland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 8 MRSA §223-A, sub-§8, ¶A,** as enacted by PL 2011, c. 416, §5 and
3 affected by §9, is amended to read:

4 A. ~~Consumer~~ Subject to conditions in a permit obtained under paragraph C,
5 consumer fireworks may be used between the hours of 9:00 a.m. and 10:00 p.m.,
6 except that on the following dates they may be used between the hours of 9:00 a.m.
7 and 12:30 a.m. the following day:

8 (1) July 4th;

9 (2) December 31st; and

10 (3) The weekends immediately before and after July 4th and December 31st.

11 **Sec. 2. 8 MRSA §223-A, sub-§8, ¶C** is enacted to read:

12 C. A person may not use consumer fireworks without obtaining a permit from the
13 person with authority to issue a permit for open burning in the location where the use
14 will occur. The permit must be issued in the same manner as a permit for open
15 burning is issued pursuant to Title 12, section 9325. When considering whether to
16 issue a permit under this subsection, the person determining whether to issue the
17 permit shall consider the fire danger and the safety of the public.

18 **SUMMARY**

19 This bill provides that a person who wishes to use consumer fireworks must obtain a
20 permit from the person with authority to issue a permit for open burning. The permit
21 must be issued in the same manner as a permit for open burning is issued.