**South Carolina General Assembly**

119th Session, 2011-2012

**S. 319**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Knotts

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Introduced in the Senate on January 11, 2011

Currently residing in the Senate Committee on **Labor, Commerce and Industry**

Summary: Fireworks stands

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/15/2010 Senate Prefiled

12/15/2010 Senate Referred to Committee on **Labor, Commerce and Industry**

1/11/2011 Senate Introduced and read first time ([Senate Journal‑page 143](file:///h:\sj%20archive\2011\01-11-11.docx))

1/11/2011 Senate Referred to Committee on **Labor, Commerce and Industry** ([Senate Journal‑page 143](file:///h:\sj%20archive\2011\01-11-11.docx))

**VERSIONS OF THIS BILL**

[12/15/2010](file:///p:\pprever\2011-12\319_20101215.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40‑56‑245 SO AS TO EXEMPT A FIREWORKS STAND THAT IS EIGHTEEN FEET OR GREATER IN LENGTH FROM ANY TIEDOWN REQUIREMENT; AND TO AMEND SECTION 40‑56‑20, RELATING TO CERTAIN DEFINITIONS, SO AS TO DEFINE ADDITIONAL TERMS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 56, Title 40 of the 1976 Code is amended by adding:

“Section 40‑56‑245. A fireworks stand that is eighteen feet or greater in length is exempt from any tiedown requirement imposed by statute or regulation.”

SECTION 2. Section 40‑56‑20 of the 1976 Code, as added by Act 196 of 2010, is amended to read:

“Section 40‑56‑20. As used in this chapter:

(1) ‘APA’ means the American Pyrotechnics Association.

(2) ‘Board’ means the State Board of Pyrotechnic Safety.

(3) ‘Consumer fireworks’ means any small firework device designed to produce visible effects by combustion and which must comply with the construction, chemical composition, and labeling regulations of the U.S. Consumer Product Safety Commission, as set forth in Title 16, Code of Federal Regulations, parts 1500 and 1507 and APA Standard 87‑1. Some small devices designed to produce audible effects are consumer fireworks, including, but not limited to, whistling devices, ground devices containing 50 mg or less of explosive materials, and aerial devices containing 130 mg or less of explosive materials. Consumer fireworks are classified as fireworks UN0336, and UN0337 by the U.S. Department of Transportation at 49 C.F.R. 172.101. This term does not include fused setpieces containing components which together exceed 50 mg of salute powder. Consumer fireworks are further defined as those classified by the U.S. Department of Transportation hazard classification 1.4G. These fireworks were formerly known as ‘Class C Fireworks’.

(4) ‘CPSC’ means the U.S. Consumer Product Safety Commission.

(5) ‘Department’ means the Department of Labor, Licensing and Regulation.

(6) ‘Display fireworks’ means large fireworks designed primarily to produce visible or audible effects by combustion, deflagration, or detonation. This term includes, but is not limited to, salutes containing more than 2 grains (130 mg) of explosive materials, aerial shells containing more than 40 grams of pyrotechnic compositions, and other display pieces which exceed the limits of explosive materials for classification as ‘consumer fireworks’. Display fireworks are classified as fireworks UN0333, UN0334, or UN0335 by the U.S. Department of Transportation at 49 C.F.R. 172.101. This term also includes fused setpieces containing components which together exceed 50 mg of salute powder. Display fireworks are further defined as those classified by the U.S. Department of Transportation as hazard classification 1.3G. These fireworks were formerly known as ‘Class B Fireworks’.

(7) ‘DOT’ means the U.S. Department of Transportation.

(8) ‘Fireworks’ means any composition or device designed to produce a visible or an audible effect by combustion, deflagration, or detonation, and which meets the definition of ‘consumer fireworks’ or ‘display fireworks’ as defined by this section.

(9) ‘Fireworks stand’ means a facility consisting of a temporary structure from which fireworks are sold.

(~~9~~10) ‘Licensee’ means a person, firm, or entity that has been issued a license by the board under the provisions of this chapter to manufacture, sell, or store fireworks.

(~~10~~11) ‘NFPA’ means National Fire Protection Association.

(~~11~~12) ‘Pyrotechnics’ means any composition or device designed to produce visible or audible effects for entertainment purposes by combustion, deflagration, or detonation.

(~~12~~13) ‘Small bottle rocket’ is a consumer firework with a motor less than one‑half inch in diameter and three inches in length, a stabilizing stick less than fifteen inches in length, and a total pyrotechnic composition not exceeding 20 grams in weight.

(14) ‘Tiedown’ means the use of a devise to anchor a fireworks stand to ground anchors.”

SECTION 3. This act takes effect upon approval by the Governor.

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