

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

H

1

HOUSE BILL 2024

Short Title: Legalize Certain Pyrotechnics. (Public)

Sponsors: Representatives McCormick; Brown, Daughtry, Dockham, Gibson, Iler, Ingle,
 McGee, and Stevens.

Referred to: Rules, Calendar, and Operations of the House, if favorable, Judiciary II, if
 favorable, Ways and Means/Broadband Connectivity.

May 26, 2010

A BILL TO BE ENTITLED

AN ACT TO LEGALIZE CONSUMER FIREWORKS IN NORTH CAROLINA.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-414 reads as rewritten:

"§ 14-414. Pyrotechnics defined; exceptions.

For the proper construction of the provisions of this Article, "pyrotechnics," as is herein used, shall be deemed to be and include any and all kinds of fireworks and explosives, which are used for exhibitions or amusement purposes: provided, however, that nothing herein contained shall prevent the manufacture, purchase, sale, transportation, and use of explosives or signaling flares used in the course of ordinary business or industry, or shells or cartridges used as ammunition in firearms. This Article shall not apply to the sale, use, or possession of the following:

- (1) Explosive caps designed to be fired in toy pistols, provided that the explosive mixture of the explosive caps shall not exceed twenty-five hundredths (.25) of a gram for each cap.
- (2) Snake and glow worms composed of pressed pellets of a pyrotechnic mixture that produce a large, snake-like ash when burning.
- (3) Smoke devices consisting of a tube or sphere containing a pyrotechnic mixture that produces white or colored smoke.
- (4) Trick noisemakers which produce a small report designed to surprise the user and which include:
 - a. A party popper, which is a small plastic or paper item containing not in excess of 16 milligrams of explosive mixture. A string protruding from the device is pulled to ignite the device, expelling paper streamers and producing a small report.
 - b. A string popper, which is a small tube containing not in excess of 16 milligrams of explosive mixture with string protruding from both ends. The strings are pulled to ignite the friction-sensitive mixture, producing a small report.
 - c. A snapper or drop pop, which is a small, paper-wrapped item containing no more than 16 milligrams of explosive mixture coated on small bits of sand. When dropped, the device produces a small report.



- 1 (5) Wire sparklers consisting of wire or stick coated with nonexplosive
2 pyrotechnic mixture that produces a shower of sparks upon ignition. These
3 items must not exceed 100 grams of mixture per item.
- 4 (6) Other sparkling devices which emit showers of sparks and sometimes a
5 whistling or crackling effect when burning, do not detonate or explode, do
6 not spin, are hand-held or ground-based, cannot propel themselves through
7 the air, and contain not more than 75 grams of chemical compound per tube,
8 or not more than a total of 200 grams if multiple tubes are used.
- 9 (7) Class 1.4G pyrotechnics not otherwise included in subdivisions (1) through
10 (6) of this section."

11 **SECTION 2.** G.S. 14-410(b) reads as rewritten:

- 12 "(b) Notwithstanding the provisions of G.S. 14-414, it shall be unlawful for any
13 individual, firm, partnership, or corporation to sell pyrotechnics as defined in G.S. 14-414(2),
14 (3), (4)c., (5), ~~or (6) (6), or (7)~~ to persons under the age of 16."

15 **SECTION 3.** This act becomes effective July 1, 2010.