

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1547 Session of
1995

INTRODUCED BY CORNELL, LYNCH, SATHER, L. I. COHEN AND TRELLO,
MAY 3, 1995

REFERRED TO COMMITTEE ON JUDICIARY, MAY 3, 1995

AN ACT

1 Amending the act of May 15, 1939 (P.L.134, No.65), entitled, as
2 amended, "An act relating to fireworks; defining fireworks;
3 prohibiting the sale, offering or exposing for sale and use
4 of fireworks, except in certain cases; authorizing cities,
5 boroughs, towns and townships to issue permits for fireworks
6 displays, and to regulate the same; imposing duties on the
7 Pennsylvania State Police, sheriffs, police officers and
8 constables; and providing penalties," further providing for
9 the sale of fireworks.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. Section 2 of the act of May 15, 1939 (P.L.134,
13 No.65), referred to as the Fireworks Law, is amended to read:

14 Section 2. Except as hereinafter provided, it shall be
15 unlawful for any person, copartnership, association or
16 corporation to offer for sale, expose for sale, sell at retail,
17 sell at wholesale, or use or explode any fireworks: Provided,
18 That the governing body of any city, borough, town or township
19 shall have power, under reasonable rules and regulations adopted
20 by it, to grant permits for supervised public displays of
21 fireworks to be held therein by municipalities, fair

1 associations, amusement parks and other organizations or groups
2 of individuals. Every such display shall be handled by a
3 competent operator to be approved by the governing body of the
4 municipality in which the display is to be held, and shall be of
5 such a character and so located, discharged or fired as in the
6 opinion of the chief of the fire department or such other
7 officer as may be designated by the governing body of the
8 municipality after proper inspection shall not be hazardous to
9 property or endanger any person or persons. Application for
10 permits shall be made in writing at least fifteen (15) days in
11 advance of the date of the display. After such privilege shall
12 have been granted, sales, possession, use and distribution of
13 fireworks for such display shall be lawful for that purpose
14 only. No permit granted hereunder shall be transferable.

15 Section 2. Section 4 of the act, amended February 10, 1956
16 (1955 P.L.1033, No.325), is amended to read:

17 Section 4. It shall be unlawful for any resident wholesaler,
18 dealer or jobber to sell fireworks at wholesale in this State or
19 for shipment out-of-State. Nothing in this act shall be
20 construed to prohibit [any resident wholesaler, dealer or jobber
21 to sell at wholesale such fireworks as are not herein
22 prohibited, or the sale of any kind of fireworks, provided the
23 same are to be shipped directly out of state, or are to be used]
24 the use of fireworks by a person holding a permit from any
25 municipality at the display covered by such permit, or when used
26 as authorized by a permit for agricultural purposes in
27 connection with the raising of crops and the protection of crops
28 from bird and animal damage, or the use of fireworks by
29 railroads or other transportation agencies for signal purposes
30 or illumination, or when used in quarrying or for blasting or

1 other industrial use, or the sale or use of blank cartridges for
2 a show or theatre, or for signal or ceremonial purposes in
3 athletics or sports, or for use by military organizations or
4 organizations composed of veterans of the United States Army or
5 Navy.

6 Section 3. This act shall take effect in 60 days.