

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 367 Session of
1989

INTRODUCED BY REINARD, HECKLER, WILSON, J. L. WRIGHT, CLYMER AND
BURNS, FEBRUARY 8, 1989

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 8, 1989

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 unlawful sale of fireworks.

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

12 Section 1. Section 4 of the act of May 15, 1939 (P.L.134,
13 No.65), referred to as the Fireworks Law, amended February 10,
14 1956 (1955 P.L.1033, No.325), is amended to read:

15 Section 4. (a) Nothing in this act shall [be construed to]
16 prohibit any resident wholesaler, dealer or jobber [to sell]
17 from selling at wholesale such fireworks as are not herein
18 prohibited, or the sale of any kind of fireworks, provided the
19 same [are to be shipped directly out of state, or] are to be
20 used by a person holding a permit from any municipality at the
21 display covered by such permit, or when used as authorized by a

1 permit for agricultural purposes in connection with the raising
2 of crops and the protection of crops from bird and animal
3 damage, or the use of fireworks by railroads or other
4 transportation agencies for signal purposes or illumination, or
5 when used in quarrying or for blasting or other industrial use,
6 or the sale or use of blank cartridges for a show or theatre, or
7 for signal or ceremonial purposes in athletics or sports, or for
8 use by military organizations or organizations composed of
9 veterans of the United States Army or Navy.

10 (b) It shall be unlawful for any resident wholesaler, dealer
11 or jobber to sell at wholesale or retail fireworks of any kind
12 except as provided in subsection (a).

13 Section 2. This act shall take effect in 60 days.