



## State Fire Marshal's Notice

### July 2014

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### State Fire Marshal Reminder Related to Pyrotechnic Displays with Consumer 1.4G Fireworks

It has come to the attention of the State Fire Marshal's Office that the general public may be engaging in acts that place them in violation of the Fireworks Statute and Rules. This includes businesses, organizations, neighborhood associations, and individual citizens who hold fireworks displays before an assembly of 50 or more people using consumer fireworks, also called 1.4G fireworks. The following is offered as clarification and as a reminder of the importance to remain in complete compliance with all provisions, rules, regulations and/or statutes enacted to govern fireworks in Texas.

#### Applicability

This notice applies to pyrotechnic displays for entertainment, exhibition, demonstration, or simulation before an assembly of 50 people or more and using consumer fireworks (fireworks 1.4G).

§ 2154.253.(b) (Texas Occupations Code, Regulation of Fireworks)

#### Licensed Operator

At least one Texas licensed special effects pyrotechnic operator must be present on-site at all times where pyrotechnics are used, discharged, or ignited. The on-site licensee is responsible for complying with this section.

§ 2154.253(b)(4) & (6) (Texas Occupations Code, Regulation of Fireworks)

#### Permit

The licensee or the licensee's employer must obtain a permit from the local authority having jurisdiction before the use, discharge, or ignition of pyrotechnics.

§ 2154.253.(b)(7) (Texas Occupations Code, Regulation of Fireworks)

#### Insurance

The applicant for the permit must provide evidence of insurance in the form of a general liability insurance policy in an amount of not less than \$1 million, conditioned to pay for damages caused by an occurrence involving a display of pyrotechnics.

§ 2154.253.(b)(8) & 2154.207 (Texas Occupations Code, Regulation of Fireworks)

#### Offense Committed

Violation of this section constitutes a Class A misdemeanor offense. Each day a violation occurs or continues constitutes a separate offense. Venue under this section is in the county in which the offense is committed or in Travis County.

§ 2154.253.(e) (Texas Occupations Code, Regulation of Fireworks)

#### **Complete Fireworks Statute and Rules**

<http://www.tdi.texas.gov/fire/documents/fmstatfireworks.pdf>