

Introduced: 1/28/65  
Referred: Health, Welfare and  
Education, Local Government and  
State Affairs

1 IN THE HOUSE BY THE RULES COMMITTEE

2 HOUSE BILL NO. 52

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act to regulate fireworks; and providing  
7 for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 18 is amended by adding a new chapter to read:

10 CHAPTER 85. FIREWORKS.

11 Sec. 18.85.010. FIREWORKS PROHIBITED. Except as  
12 provided in this chapter, it is unlawful for any person to  
13 offer for sale, expose for sale, sell at retail, use, or  
14 explode any fireworks.

15 Sec. 18.85.020. EXCEPTION FOR AUTHORIZED DISPLAYS. (a)  
16 Fireworks may be used for public or private display or use by  
17 municipalities, fair associations, amusement parks, and other  
18 organizations or groups of individuals, if

19 (1) a permit is obtained from the city or borough  
20 in which the display is to take place, or, if the display is  
21 not to take place within a city or borough, from the state  
22 fire marshal;

23 (2) the display is prepared and presented under  
24 the immediate supervision of a person approved by the fire  
25 chief of the city or borough in which the display is to take  
26 place, or if the display is not to take place within a city  
27 or borough, by the state fire marshal;

28 (3) the plan for the display is approved in ad-  
29 vance by the fire chief or fire marshal, as the case may be,

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

and

(4) a bond is filed with a city or borough, or in the area outside cities and boroughs, with the state fire marshal, in the amount of at least \$500, conditioned for the payment of all damages to persons or property arising from the display or from acts of persons preparing or presenting the display. The bond requirement is suspended if any insurance policy is in effect which accomplishes the same purpose as the bond.

(b) The fire chief or fire marshal, as the case may be, may inspect the preparations for a display at all reasonable times, and may at any time suspend or halt a display if it is not prepared or presented in conformity with law, ordinance, or the terms of a permit.

(c) After a permit is granted, the possession, use, and distribution of fireworks are lawful only for the purpose stated in a permit. No permit is transferable.

Sec. 18.85.030. PERMISSIBLE SALES AND OTHER USES OF FIREWORKS. Nothing in this chapter shall be construed to prohibit

(1) any resident wholesaler, dealer, or jobber from selling at wholesale those fireworks which are not prohibited in this chapter;

(2) the sale of any kind of fireworks if the fireworks are to be shipped directly from the state in accordance with regulations of the Interstate Commerce Commission;

(3) the use of fireworks by railroads or other transportation agencies for signal purposes or illumination;

(4) the sale or use of blank cartridges for a show or a theater;

1 (5) use of fireworks for signal or ceremonial  
2 purposes in athletic events or parades; and

3 (6) use by military organizations.

4 Sec. 18.85.040. LOCAL RESTRICTIONS. Cities and  
5 boroughs may by ordinance further limit or regulate displays  
6 of fireworks.

7 Sec. 18.85.050. PENALTY. A person who violates this  
8 chapter is guilty of a misdemeanor and upon conviction is  
9 punishable by a fine of not more than \$100, or by imprison-  
10 ment for not more than 30 days, or by both.

11 Sec. 18.85.060. DEFINITIONS. In this chapter "fire-  
12 works" includes any combustible or explosive composition, or  
13 any substance or combination of substances, or article pre-  
14 pared for the purpose of producing a visible or an audible  
15 effect by combustion, explosion, deflagration or detonation,  
16 and includes blank cartridges, toy pistols, toy cannons, toy  
17 canes, or toy guns in which explosives are used, balloons  
18 which require explosive propellant, firecrackers, torpedoes,  
19 skyrockets, Roman candles, Daygo bombs, or other fireworks of  
20 like construction, which contain any explosives or flammable  
21 compound, or any tablets or other device containing any ex-  
22 plosive substance, except that the term "fireworks" shall not  
23 include sparklers, toy pistols, toy canes, toy guns or other  
24 devices in which paper caps, manufactured and shipped in  
25 accordance with the United States Interstate Commerce Com-  
26 mission regulations regarding such caps, are used, the sale  
27 and use of which shall be permitted at all times.

28 Sec. 18.85.070. SHORT TITLE. This chapter may be cited  
29 as the State Fireworks Act.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29

\* Sec. 2. This Act takes effect August 1, 1965.