

**WAC 212-17-515 Violation/penalty matrix.**

WAC - Literal	Description	1st violation	2nd offense or aggravating factors to increase penalty		3rd offense or aggravating factors to increase penalty	
212-17-045 (2) and (3)	Possession of an EPCD without a written management plan.	Warning to \$250	\$500		\$1,000	
212-17-045(4)	Improper use of EPCD during a burn ban period.	Warning to \$500	\$750	Used during a burn ban period or increased fire danger in the area where the device was used.  Fire caused by item that results in a minor injury or property damage (under \$25,000).	\$1,000	Used during a burn ban period or increased fire danger in the area where the device was used.  Fire caused by item that results in a permanent injury, loss of life or major property damage (excess of \$25,000).
212-17-045(5)	Use of EPCD that threatens to injure or kill wildlife or persons.	Warning to \$500	\$750	Injury occurs to wildlife or persons.	\$1,000	Wildlife or person killed by use of the EPCD.
212-17-050 (1) and (2)	Importing, manufacturing, selling or possessing a firework with prohibited components, devices or chemicals.	\$25 per item or \$250 whichever is greater.	\$50 per item or \$500 whichever is greater.		\$100 per item or \$1,000 whichever is greater.	Attempt is made to disguise the item as another product that does not contain prohibited chemicals.
212-17-050 (2)(c)(iii)	Failing to segregate similar devices from inventory of products that can be sold or used until the laboratory test results are known.	\$25 per item or \$250 whichever is greater.	\$50 per item or \$500 whichever is greater.		\$100 per item or \$1,000 whichever is greater.	
212-17-053(2)	Possess, purchase or discharge dangerous fireworks.	\$25 per item or \$250 whichever is greater.	\$50 per item or \$500 whichever is greater.		\$100 per item or \$1,000 whichever is greater.	
212-17-053(2)	Offering for sale, storage or manufacturing a dangerous firework.	\$50 per item or \$500 whichever is greater.	\$75 per item or \$750 whichever is greater.		\$100 per item or \$1,000 whichever is greater.	
212-17-053	Altering a firework without a pyrotechnic license.	\$250	\$500	Conducting a fireworks display for hire.	\$1,000	Selling altered fireworks.
212-17-055 (2)(c)(iii)(B)	Importing or manufacturing any firework device without receiving an approval from the U.S. DOT per 49 C.F.R. Part 173.56(b).	\$25 per item or \$250 whichever is greater.	\$50 per item or \$500 whichever is greater.		\$100 per item or \$1,000 whichever is greater.	
212-17-055(2)	Importing or manufacturing a firework without the required labeling.	\$25 per item or \$250 whichever is greater.	\$50 per item or \$500 whichever is greater.		\$100 per item or \$1,000 whichever is greater.	
212-17-060(1)	Purchase or use of fireworks outside of time period or from an unlicensed stand.	\$25 per item or \$250 whichever is greater.	\$50 per item or \$500 whichever is greater.		\$100 per item or \$1,000 whichever is greater.	If a permit application was denied for under 212-17-060 (2)(i) and (ii).

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212-17-065(1)	Fail to obtain a license or permit to manufacture, import and wholesale consumer fireworks. (Includes hobbyist or personal use.)	Warning to \$25 per item or \$250 whichever is greater.	\$50 per item or \$500 whichever is greater.		\$100 per item or \$1,000 whichever is greater.	
212-17-065(1)	Fail to obtain a license or permit to manufacture, import and wholesale fireworks. (Commercial use.)	Warning to \$50 per item or \$500 whichever is greater.	\$75 per item or \$750 whichever is greater.	Aware of license and permit requirements as a previous license and permit holder.	\$100 per item or \$1,000 whichever is greater.	Permit application for activity submitted and denied.
212-17-070	Manufacturing, importing, and wholesaling fireworks after an application has been denied.	Warning to \$100 per item or \$1,000 whichever is greater.	\$100 per item or \$1,000 whichever is greater.		\$100 per item or \$1,000 whichever is greater.	
212-17-080	Violation of license limitations.	Warning to \$25 per item or \$250 whichever is greater.	\$50 per item or \$500 whichever is greater.		\$100 per item or \$1,000 whichever is greater.	
212-17-085(1)	Fail to keep records for the required 3 year period.	Warning to \$50 per missing record or \$500 whichever is greater.	\$75 per missing record or \$750 whichever is greater.		\$100 per missing record or \$1,000 whichever is greater.	
212-17-085(1)	Fail to produce records and reports when requested .	Warning to \$50 per missing record or \$500 whichever is greater.	\$75 per missing record or \$750 whichever is greater.	Fail to comply after 96 hours from close of business that documents were to be provided.	\$100 per missing record or \$1,000 whichever is greater.	Fail to comply after 96 hours from close of business that documents were to be provided.
212-17-145(1)	Failing to notify the state fire marshal within 5 days of receiving notice from the CPSC that fireworks imported by the licensee have been laboratory tested and failed to meet the CPSC requirements for consumer fireworks.	Warning to \$25 per item or \$250 whichever is greater.	\$50 per item or \$500 whichever is greater.	Two products imported at the same time failed to CPSC standards.	\$100 per item or \$1,000 whichever is greater.	More than three products imported at the same time failed to CPSC standards.
212-17-145(4)	Storing imported fireworks that are overloaded (laboratory tested by the CPSC) in a nonapproved facility.	Warning to \$50 per item or \$500 whichever is greater.	\$75 per item or \$750 whichever is greater.		\$100 per item or \$1,000 whichever is greater.	
212-17-185 (1)(a)	Conducting retail sales of fireworks without a license.	Warning to \$250	\$500	Aware of license and permit requirements as a previous license and permit holder.	\$1,000	Permit application for activity submitted and denied.
212-17-185 (1)(b)	Conducting retail sales of fireworks without a permit issued from the local jurisdiction having authority.	Warning to \$250	\$500	Fireworks license issued but no permit.	\$1,000	Permit application for activity submitted and denied.

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212-17-185 (3)(b)	Obtaining a license only to purchase fireworks at wholesaler for personal use.	Warning to \$250	\$500	Fireworks license issued but no permit.	\$1,000	Permit application for activity submitted and denied.
212-17-198(1)	Selling or offering for sale of unapproved consumer fireworks to the public.	Warning to \$50 per item or \$500 whichever is greater.	\$75 per item or \$750 whichever is greater.		\$100 per item or \$1,000 whichever is greater.	
212-17-198(2)	Retail sales licensee failing to display the list of approved consumer fireworks.	Warning to \$250	\$500		\$1,000	
212-17-198(4)	Possession of prohibited fireworks (rockets, firecrackers, missiles, salutes or chasers).	Warning to \$25 per item or \$250 whichever is greater.	\$50 per item or \$500 whichever is greater.	Net explosive weight of prohibited firework in excess of 10 gross pounds.	\$150 per item or \$1,000 whichever is greater.	Net explosive weight of prohibited firework in excess of 25 gross pounds.
212-17-198(4)	Use of prohibited fireworks (missiles, rockets, firecrackers, salutes or chasers).	Warning to \$25 per item or \$250 whichever is greater.	\$50 per item or \$500 whichever is greater.	Fire caused by item that results in an injury requiring treatment on-site or property damage (under \$25,000).	\$150 per item or \$1,000 whichever is greater.	Fire caused by item that results in an injury requiring treatment at a hospital, loss of life or major property damage (excess of \$25,000).
212-17-21504(1)	Retailer purchasing any consumer fireworks from a nonlicensed wholesaler.	Warning to \$25 per item or \$250 whichever is greater.	\$50 per item or \$500 whichever is greater.		\$100 per item or \$1,000 whichever is greater.	
212-17-21504(2)	Retailer selling or delivering fireworks from location other than in a manner authorized.	Warning to \$25 per item or \$250 whichever is greater.	\$50 per item or \$500 whichever is greater.		\$100 per item or \$1,000 whichever is greater.	
212-17-21504 (2)(b)(i)	Advertisement violation.	Warning to \$25 per item or \$250 whichever is greater.	\$50 per item or \$500 whichever is greater.	Aware of license and permit requirements as a previous license and permit holder.	\$100 per item or \$1,000 whichever is greater.	License or permit application for activity submitted and denied.
212-17-21504 (2)(b)(ii)	Purchase of consumer fireworks from unlicensed wholesaler in Washington.	Warning to \$25 per item or \$250 whichever is greater.	\$50 per item or \$500 whichever is greater.	Fireworks ordered in excess of 125 pounds gross net explosive weight.	\$100 per item or \$1,000 whichever is greater.	Fireworks ordered in excess of 300 pounds of gross net explosive weight.
212-17-21505	Violation of local permit or rules for CFRS facility requirements.	Warning to \$250	\$500	Aware of license and permit requirements as a previous license and permit holder.	\$1,000	Permit application for activity submitted and denied.
212-17-21505	Conducting retail sales from an unapproved CFRS facility.	Warning to \$500	\$750	Aware of license and permit requirements as a previous license and permit holder.	\$1,000	Permit application for activity submitted and denied.
212-17-21511	Discharge of fireworks within 300 feet of the CFRS facility.	Warning to \$250	\$500		\$1,000	
212-17-21519	Fail to cleanup and remove CFRS facility.	Warning to \$250	\$500		\$1,000	

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212-17-220	Unlicensed/underaged pyrotechnic operator conducting a fireworks display.	Warning to \$250	\$500	Pyrotechnic operator's license expired no more than 6 months (July 31st).	\$1,000	Licensed pyrotechnic operator's information submitted for permit is different than person conducting display.
212-17-223(2)	Conducting a fireworks display without a general display license.	Warning to \$250	\$500	Expired license, aware of license requirements as a previous license holder.	\$1,000	Denied or failed to qualify for the level of pyrotechnic license needed.
212-17-225(3)	Submitting an application for a pyrotechnic operator's license with false or inaccurate information.	Warning to \$500	\$750	Information provided was for a higher level license, i.e., proximate or special effects.	\$1,000	Person is disqualified by the ATF from being a user/possessor.
212-17-235(1)	Failing to supervise personnel or the handling, preparing and firing of a fireworks display.	Warning to \$250	\$500	Results in an injury requiring treatment on-site or a fire causing property damage (under \$25,000).	\$1,000	Pyrotechnic operator listed on the permit is absent when the display is being setup/inspected.  Results in an injury requiring treatment at a hospital, loss of life or a fire causing major property damage (excess of \$25,000).
212-17-260	Conducting a fireworks display without a general display license.	Warning to \$250	\$500	Aware of license requirements as a previous license holder.	\$1,000	Application for a general display license was denied or license was suspended or revoked.
212-17-270(1)	Conducting a fireworks display without obtaining a permit from the local authority having jurisdiction.	Warning to \$500	\$750	Aware of permit requirements as a previous permit holder.	\$1,000	
212-17-270(4)	Public display permittee failed to comply with the provisions of a public display permit.	Warning to \$250	\$500	Display starting later than allowed by permit.	\$1,000	
212-17-345	Failure to submit a report to the state fire marshal for any public display conducted.	Warning to \$25 per report or \$250 whichever is greater.	\$50 per item or \$500 whichever is greater.	Display had a fire causing an injury requiring treatment on-site or property damage (under \$25,000).	\$1,000	Display had a fire causing an injury requiring treatment at a hospital, loss of life or major property damage (excess of \$25,000).
212-17-425	Carrier delivering fireworks without having the proper license to transport such class and quantity of fireworks.	Warning to \$50 per report or \$500 whichever is greater.	\$75 per item or \$750 whichever is greater.	Fireworks delivery in excess of 125 pounds net weight of explosive, but less than 500 net weight of explosive.	\$100 per item or \$1,000 whichever is greater.	Fireworks delivery in excess of 501 pounds net weight of explosive.

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212-17-430	Common carrier delivering fireworks to a person or firm within Washington state without a valid importer's license.	Warning to \$50 per report or \$500 whichever is greater.	\$75 per item or \$750 whichever is greater.	Fireworks delivery in excess of 125 pounds net weight of explosive, but less than 500 net weight of explosive.	\$100 per item or \$1,000 whichever is greater.	Fireworks delivery in excess of 501 pounds net weight of explosive.
212-17-435	Storage of fireworks that present an increased hazard or menace of fire or explosion.	Warning to \$50 per report or \$500 whichever is greater.	\$75 per item or \$750 whichever is greater.	Fireworks storage in excess of 125 pounds net weight of explosive, but less than 500 net weight of explosive.	\$100 per item or \$1,000 whichever is greater.	Fireworks storage in excess of 501 pounds net weight of explosive.
212-17-440	Common carrier storage without a fireworks license or permit.	Warning to \$50 per report or \$500 whichever is greater.	\$75 per item or \$750 whichever is greater.	Fireworks storage in excess of 125 pounds net weight of explosive, but less than 500 net weight of explosive.	\$100 per item or \$1,000 whichever is greater.	Fireworks storage in excess of 501 pounds net weight of explosive.
212-17-442	Permanent storage of any fireworks by a licensed person in an unapproved facility without proper license/ permit/approval.	Warning to \$50 per item or \$500 whichever is greater.	\$75 per item or \$750 whichever is greater.	Aware of license and permit requirements as a previous license and permit holder.	\$100 per item or \$1,000 whichever is greater.	Permit application for storage submitted and denied by local AHJ.
212-17-446 (2) and (4)	No permit for temporary storage or in violation of the requirements.	Warning to \$250.	\$500	Aware of license and permit requirements as a previous license and permit holder.	\$1,000	Permit application for activity submitted and denied.

[Statutory Authority: RCW 70.77.250. WSR 15-22-082, § 212-17-515, filed 11/3/15, effective 1/1/16. Statutory Authority: Chapters 43.43 and 70.77 RCW. WSR 05-12-033, § 212-17-515, filed 5/24/05, effective 6/24/05.]