

**WAC 212-17-080 Fireworks license limitations.** (1) Manufacturer:

(a) A fireworks manufacturer license, together with a permit from local authorities having jurisdiction, authorizes the holder to engage only in the business of manufacturing fireworks of all types and their sale and transportation to licensed wholesalers in Washington.

(b) If the manufacturer desires to engage in other types of fireworks business, the manufacturer must first procure the necessary license.

(c) By virtue of its license, a licensed fireworks manufacturer is permitted to sell fireworks for direct shipment out of this state. Such shipment must be made in accordance with transportation requirements.

(2) Importer:

(a) A fireworks importer's license authorizes the holder to import fireworks into this state. This authorization is limited to:

(i) Procurement, delivery, or receipt of firework shipments into the state;

(ii) Buying or contracting of fireworks for shipment into the state;

(iii) An enrolled tribal member importing fireworks into the state for delivery to the registered member's tribal land;

(iv) Transportation of any type of fireworks licensed for and in compliance with 49 C.F.R., Parts 171 through 183;

(v) Storage of all classes and types of fireworks if there are no restrictions or provisions by the local authority having jurisdiction issuing a permit.

(b) An importer's license does not allow for the distribution or selling of fireworks at retail or wholesale.

(3) Wholesaler:

(a) A fireworks wholesaler's license authorizes the holder to engage only in the sale of fireworks at wholesale.

(b) A fireworks wholesaler's licensee can sell fireworks to:

(i) Licensed retailers;

(ii) Holder of a general display license;

(iii) Other licensed wholesalers;

(iv) Religious organizations, private organizations, or adult persons that have a permit issued by the local authority having jurisdiction to purchase specific fireworks items in accordance with WAC 212-17-061.

(c) A licensed fireworks wholesaler is authorized to sell fireworks for direct shipment out of this state, provided that:

(i) Such shipment is made in accordance with transportation requirements; and

(ii) If the purchaser's state requires a permit to purchase, possess, transport, store, distribute, sell, or otherwise deal with fireworks, the purchaser must possess and present the license to the wholesaler for inspection at the time of sale.

(4) Penalties for violations of this section are provided in WAC 212-17-515.

[Statutory Authority: RCW 70.77.250. WSR 15-22-082, § 212-17-080, filed 11/3/15, effective 1/1/16. Statutory Authority: RCW 70.77.250 and chapter 48.48 RCW. WSR 82-22-068 (Order FM 82-10), § 212-17-080, filed 11/2/82.]