

WAC 212-17-460 General rules. (1) These rules establish civil penalty criteria for violations of chapter 70.77 RCW and this chapter.

(2) Each separate instance of noncompliance with chapters 70.77 RCW and/or 212-17 WAC will be considered a separate violation.

(3) For the purpose of determining separate instances, the state of the product at the time of violation can be considered. For example:

(a) An unopened box containing multiple items/packs that are in violation would be considered one violation.

(b) Possession of an open or partial box or multiple individual items in violation would be considered multiple separate violations based on the number of items in violation.

(4) Each day that a violation continues will be considered a separate violation.

(5) The distribution, sale, use, manufacture, or possession of any amount of illegal fireworks is prohibited and subject to citation and penalty.

(6) In addition to the issuance of citations and penalties under these rules, the state fire marshal and local authority having jurisdiction acting in accordance with chapters 70.77 RCW and/or 212-17 WAC may confiscate:

(a) Any amount of illegal fireworks; and

(b) Other fireworks possessed by persons violating chapters 70.77 RCW and/or 212-17 WAC.

(7) In addition to the issuance of citations, penalties, and the confiscation of fireworks, the state fire marshal may also revoke, suspend, or deny any fireworks license provided for under chapter 70.77 RCW to any person who fails to pay a penalty(ies) assessed under these rules.

(8) The penalty for each violation shall range from \$0 to \$1,000 per violation.

[Statutory Authority: RCW 70.77.250. WSR 15-22-082, § 212-17-460, filed 11/3/15, effective 1/1/16. Statutory Authority: Chapters 43.43 and 70.77 RCW. WSR 05-12-033, § 212-17-460, filed 5/24/05, effective 6/24/05.]