
Local Government Committee

HB 2348

Brief Description: Providing local governments with flexibility regarding local fireworks ordinances.

Sponsors: Representatives Hawkins, Gregerson, Kilduff, Peterson, Dent, Johnson, Wylie, Haler, Manweller, Dye, Riccelli, Magendanz, Harris, Ortiz-Self, Fey, Klippert, Orwall, Nealey, Kuderer, Muri, Appleton, Smith, Reykdal, Zeiger, Ormsby, Robinson, McCabe, Stanford, Walsh, Hayes, Blake, S. Hunt, Van De Wege, McBride, Rodne, Kochmar, Stambaugh, Hudgins, Moeller and Tharinger.

Brief Summary of Bill

- Removes the requirement that county and city fireworks-related ordinances go into effect no sooner than one year after adoption when those ordinances are more restrictive than minimum statewide standards.

Hearing Date: 1/14/16

Staff: Cassie Jones (786-7303).

Background:

State Fireworks Law.

The State Fireworks Law (SFL) governs fireworks in Washington and sets minimum standards for the sale, purchase, use, discharge, transfer, and storage of fireworks. "Fireworks" are defined as any composition or device designed to produce a visible or audible effect by combustion, deflagration, or detonation that meets the definition of "articles pyrotechnic," "consumer fireworks," or "display fireworks."

"Articles pyrotechnic" are pyrotechnic devices for professional use, similar in nature to consumer fireworks in chemical composition and construction, but not intended for consumer use.

"Consumer fireworks" are small fireworks devices which comply with construction, chemical composition, and labeling regulations of the United States Consumer Product Safety

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Commission. "Display fireworks" are large fireworks which exceed the limits of explosive materials for classification as consumer fireworks.

Under the SFL, it is legal to sell, purchase, use, and discharge consumer fireworks in state only during certain specified dates and times around the Fourth of July and New Year's Eve. The sale, purchase, use, or discharge of consumer fireworks outside of these statutory time periods is not lawful, except as otherwise permitted by statute.

The Chief of the Washington State Patrol (WSP), through the Director of Fire Protection, is responsible for enforcing and administering the SFL and for adopting rules relating to fireworks as necessary to implement the law. The SFL and the rules adopted by the WSP establish the minimum statewide standards.

Local Authority to Restrict Fireworks.

Counties and cities may enact ordinances related to fireworks, provided that any ordinance does not allow local standards to fall below statewide minimum standards. If a county or city adopts an ordinance that is more restrictive than state law, the effective date of the ordinance can be no sooner than one year after adoption of the ordinance.

Summary of Bill:

Counties and cities are permitted to adopt ordinances relating to fireworks that are more restrictive than the statewide minimum standards established in the SFL and the rules adopted by the Washington State Patrol, including ordinances limiting or prohibiting the sale, purchase, possession, or use of consumer fireworks. Ordinances that are more restrictive than statewide minimum standards are not subject to a mandatory effective date that is so sooner than one year after adoption.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.