

A013-0708

10 AN ACT CONCERNING

20 **Public Safety – Fireworks And Sparklers – Prohibited Acts**

30 FOR the purpose of legalizing the possession and use of fireworks by persons in
40 the State of Maryland.

50 BY repealing, and reenacting, with amendments:

60 Article – Fireworks and Sparklers

70 Section 10-110

80 Annotated Code of Maryland (2007)

90 **SECTION 1. BE IT ENACTED BY THE MARYLAND STUDENT**

100 LEGISLATURE, that the Laws of Maryland read as follows:

110 ~~(a) Discharge or possession of fireworks without permit. Unless the person holds~~
120 ~~a permit issued under this subtitle, a person may not:~~

130 ~~(1) discharge fireworks; or~~

140 ~~(2) possess fireworks:~~

150 ~~(i) with intent to discharge or allow the discharge of the fireworks in violation of~~
160 ~~this subtitle; or~~

170 ~~(ii) for the purpose of disposing or selling the fireworks to a person for use or~~
180 ~~discharge without a permit, if a permit is required by this subtitle.~~

190 ~~(b) (a) Sale of fireworks without permit.-~~

200 (1) Except as otherwise provided in this subtitle, a person may not sell fireworks
210 to another person without a permit issued under this subtitle.

220 (2) (i) A person licensed by the State Fire Marshal under Subtitle 2 of this title
230 may sell or deliver fireworks to a bona fide distributor, jobber, or wholesaler with
240 a principal place of business in a state where the sale or possession of fireworks is
250 allowed.

260 (ii) The State Fire Marshal may require a person who is an out-of-state distributor,
270 jobber, or wholesaler to submit a certificate issued by the person's state of
280 operation that demonstrates authority to buy and receive fireworks.

290 **SECTION 2. AND BE IT FURTHER ENACTED,** that this act take effect

300 October 1, 2008.

310 **MANDATES:** Martin O'Malley, Governor of Maryland
320 Anthony Brown, Lieutenant Governor of Maryland
330 Thomas V. "Mike" Miller, President of the Maryland Senate
340 Michael E. Busch, Speaker of the Maryland House of Delegates
350 Edward J. Kasemeyer, Maryland Senate Majority Leader
360 David R. Brinkley, Maryland Senate Minority Leader
370 Kumar P. Barve, Maryland House Majority Leader
380 Anthony J. O'Donnell, Maryland House Minority Leader

SPONSOR:

Shawn Jester
Comptroller of the Maryland Student Legislature
Salisbury University