

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**

# A Bill

**HOUSE BILL**

4 **By: Representatives Northcutt, Stephens, and Flanagin**

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## **For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE 20-22-708 TO PROHIBIT THE  
9 POSSESSION, SALE OR USE OF SKY ROCKETS OR BOTTLE ROCKETS;  
10 AND FOR OTHER PURPOSES."

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## **Subtitle**

13 "TO PROHIBIT THE POSSESSION, SALE OR USE OF SKY ROCKETS OR  
14 BOTTLE ROCKETS."

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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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18 SECTION 1. Arkansas Code 20-22-708 is hereby amended to read as  
19 follows:

20 "20-22-708. Possession, sale, and use unlawful - Exceptions.

21 (a) It shall be unlawful for any person to possess, sell, or use,  
22 within the State of Arkansas, or ship into the State of Arkansas, except as  
23 provided in 20-22-711, any pyrotechnics, commonly known as fireworks, other  
24 than the permissible items enumerated in this section, except as provided in  
25 this subchapter.

26 (b) The permissible fireworks consist of those defined in Interstate  
27 Commerce Commission regulations described as Class C fireworks only and shall  
28 include the following:

29 (1) Roman candles, with no handle or spike affixed thereto, not  
30 exceeding ten (10) balls spaced uniformly in the tube, total pyrotechnic  
31 composition not to exceed twenty (20) grams each in weight. The inside tube  
32 diameter shall not exceed three-eighths inch (3/8");

33 (2) Helicopter-type rockets, total pyrotechnic composition not to  
34 exceed twenty (20) grams each in weight. The inside tube diameter shall not  
35 exceed one-half inch (1/2");

1 (3) Cylindrical fountains, total pyrotechnic composition not to exceed  
2 seventy-five (75) grams each in weight. The inside tube diameter shall not  
3 exceed three-fourths inch (3/4");

4 (4) Cone fountains, total pyrotechnic composition not to exceed fifty  
5 (50) grams each in weight;

6 (5) Wheels, total pyrotechnic composition not to exceed sixty (60)  
7 grams for each driver unit or two hundred forty (240) grams for each complete  
8 wheel. The inside tube diameter of driver units shall not exceed one-half inch  
9 (1/2");

10 (6) Illuminating torches and colored fire in any form, except items  
11 included in subdivision (a)(11) of this section, total pyrotechnic composition  
12 not to exceed one hundred (100) grams in weight;

13 (7) Sparklers and dipped sticks, total pyrotechnic composition not to  
14 exceed one hundred (100) grams each in weight. Pyrotechnic composition  
15 containing any chlorate or perchlorate shall not exceed five (5) grams;

16 (8) Mines and shells of which the mortar is an integral part, total  
17 pyrotechnic composition not to exceed forty (40) grams each in weight;

18 (9) Firecrackers and salutes with casings, the external dimensions of  
19 which do not exceed one and one-half inches (1 1/2") in length or one-quarter  
20 inch (1/4") in diameter, and other items designed to produce an audible  
21 effect, total pyrotechnic composition not to exceed two (2) grams each in  
22 weight;

23 (10) Novelties consisting of two (2) or more devices enumerated in this  
24 paragraph, trick matches, and cigarette plugs, when approved by the Federal  
25 Bureau of Explosives;

26 (11) Railway fusees, truck flares, hand ship distress signals, smoke  
27 signals, and smoke pots.

28 No component of any device listed in this section which is designed to  
29 produce an audible effect shall contain pyrotechnic composition in excess of  
30 two (2) grams in weight excluding propelling or expelling charges.

31 (c) A sky rocket, also known as a bottle rocket, shall not be a  
32 permissible item."

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34 SECTION 2. All provisions of this act of a general and permanent nature  
35 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

1 Revision Commission shall incorporate the same in the Code.

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3       SECTION 3. If any provision of this act or the application thereof to  
4 any person or circumstance is held invalid, such invalidity shall not affect  
5 other provisions or applications of the act which can be given effect without  
6 the invalid provision or application, and to this end the provisions of this  
7 act are declared to be severable.

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9       SECTION 4. All laws and parts of laws in conflict with this act are  
10 hereby repealed.

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12       SECTION 5. EMERGENCY. It is hereby found and determined by the General  
13 Assembly that the use of sky rockets, also known as bottle rockets, by the  
14 general public results in numerous injuries each year, and that this act is  
15 designed to prohibit the sale of sky rockets or bottle rockets in the State  
16 and should be given effect immediately. Therefore an emergency is hereby  
17 declared to exist and this act being necessary for the preservation of the  
18 public peace, health and safety shall be in full force and effect from and  
19 after its passage and approval.

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