

**Stricken language would be deleted from and underlined language would be added to the law as it existed  
prior to this session of the General Assembly.  
Act 239 of the Regular Session**

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

# A Bill

HOUSE BILL 1146

5 By: Representative J. Burris  
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## For An Act To Be Entitled

9 AN ACT TO REQUIRE FIREWORK SALES TO BE AT LEAST  
10 FIFTY FEET FROM MOTOR VEHICLE FUEL DISPENSING  
11 STATION DISPENSERS, RETAIL PROPANE DISPENSING  
12 STATION DISPENSERS, ABOVE-GROUND STORAGE TANKS  
13 FOR FLAMMABLE OR COMBUSTIBLE LIQUIDS, FLAMMABLE  
14 GASES OR FLAMMABLE LIQUEFIED GASES, AND  
15 COMPRESSED NATURAL GAS DISPENSING FACILITIES; TO  
16 REQUIRE "NO SMOKING" SIGNS AT EACH ENTRANCE TO A  
17 FIREWORK RETAIL SALES AREA; AND FOR OTHER  
18 PURPOSES.

## Subtitle

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21 AN ACT TO REQUIRE FIREWORK SALES TO BE  
22 AT LEAST FIFTY FEET FROM COMBUSTIBLES  
23 AND TO REQUIRE "NO SMOKING" SIGNS AT  
24 RETAIL ENTRANCES.  
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28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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30 SECTION 1. Arkansas Code § 20-22-710 is amended to read as follows:  
31 20-22-710. Location, display, sale, etc.

32 (a) The placing, storing, locating, or displaying of fireworks in any  
33 window where the sun may shine through glass on to the fireworks so displayed  
34 or to permit the presence of lighted cigars, cigarettes, or pipes within ten  
35 feet (10') of where the fireworks are offered for sale is declared unlawful



1 and prohibited.

2 (b) At all places where fireworks are stored or sold, there shall be  
3 posted signs with the words "FIREWORKS - NO SMOKING" in letters not less than  
4 four inches (4") high at each entrance to the retail sales area.

5 (c)(1) No fireworks are to be sold at retail at any location where  
6 paints, oils, or varnishes ~~shall be~~ are kept for use or sale, unless the  
7 paints, oils, and varnishes are kept in the original unbroken containers, nor  
8 where resin, turpentine, gasoline, or other inflammable substance ~~which that~~  
9 may generate inflammable vapors is used, stored, or sold.

10 (2) Consumer fireworks retail sales facilities and stores shall  
11 not be located within fifty feet (50') of the following:

- 12 (A) Motor vehicle fuel dispensing station dispensers;
- 13 (B) Retail propane dispensing station dispensers;
- 14 (C) Above-ground storage tanks for flammable or  
15 combustible liquids;
- 16 (D) Flammable gases or flammable liquefied gases; or
- 17 (E) Compressed natural gas dispensing facilities.

18 (d) All firework devices that are readily accessible to handling by a  
19 consumer or purchaser shall have their fuses protected in such a manner as to  
20 protect against accidental ignition of an item by spark, cigarette ash, or  
21 other ignition source. Safety type thread wrapped and coated fuses ~~shall be~~  
22 are exempt from this section.

23 (e) All licensees under this subchapter shall have a fire extinguisher  
24 of a type approved by the Director of the Department of Arkansas State Police  
25 in an area readily accessible to any point of storage or sale of fireworks.  
26 In lieu of such an extinguisher, retailers may maintain a common type of  
27 water hose, charged and connected to a water system, which is readily  
28 available to any area where fireworks are stored or sold.

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30 **APPROVED: 2/26/2009**

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