

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Senators Boozman, Snyder and Bradford

A Bill

SENATE BILL 178

For An Act To Be Entitled

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

Subtitle

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

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

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

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

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

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

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

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

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

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

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

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

13 (7) Sparklers and dipped sticks, total pyrotechnic composition
14 not to 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,
17 total pyrotechnic composition not to exceed forty (40) grams each in weight;

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

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

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

28 (12) *Skyrockets, with sticks, total pyrotechnic composition not*
29 *to exceed twenty (20) grams each in weight. The inside tube diameter shall*
30 *not exceed one-half inch (1/2"). The rocket sticks must be securely fastened*
31 *to the tubes. Notwithstanding the foregoing, the following shall not be a*
32 *permissible item: a skyrocket with a casing of less than three-eighths of an*
33 *inch (3/8") for the outside diameter and less than two and one-fourth inches*
34 *(2 1/4") in length and with an overall length, including stick, of less than*
35 *twelve (12) inches, customarily known as 'bottle rockets'. No component of*

1 any device listed in this section which is designed to produce an audible
2 effect shall contain pyrotechnic composition in excess of two (2) grams in
3 weight excluding propelling or expelling charges.

4 (c) On and after September 1, 1995, the possession, sale and use of
5 skyrockets with sticks shall be unlawful within the State of Arkansas. This
6 prohibition shall include, but is not limited to, the common fireworks
7 devices customarily known as _bottle rockets_ or _stick rockets_. On and
8 after September 1, 1995, a skyrocket shall no longer be a permissible item
9 under this section. Provided, however, the possession or sale of skyrockets
10 with sticks by a manufacturer, importer, distributor, or jobber wholesaler to
11 a person outside the State of Arkansas for the purpose of resale outside the
12 state shall not be considered as possession or sale occurring with the State
13 of Arkansas. Any person violating the provisions of this subsection shall be
14 guilty of a Class C misdemeanor."
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16 SECTION 2. All provisions of this act of a general and permanent
17 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
18 Code Revision Commission shall incorporate the same in the Code.
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20 SECTION 3. If any provision of this act or the application thereof to
21 any person or circumstance is held invalid, such invalidity shall not affect
22 other provisions or applications of the act which can be given effect without
23 the invalid provision or application, and to this end the provisions of this
24 act are declared to be severable.
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26 SECTION 4. All laws and parts of laws in conflict with this act are
27 hereby repealed.

28 /s/Snyder
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