

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.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 2326

4
5 By: Representatives Shelby, T. Baker, Blount, Flowers, Gaskill, Hardy, Hoyt, D. Johnson, W. Lewellen,
6 Pennartz, S. Prater, Reep, J. Roebuck, Wagner, Webb

For An Act To Be Entitled

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

Subtitle

15 AN ACT TO PROHIBIT THE POSSESSION, SALE,
16 OR USE OF BOTTLE ROCKETS.

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20
21 SECTION 1. Arkansas Code § 20-22-708 is amended to read as follows:
22 20-22-708. Possession, sale, and use unlawful – Exceptions.

23 (a)(1) It ~~shall be~~ is unlawful for any person to possess, sell, or
24 use, within the State of Arkansas, or ship into the State of Arkansas, except
25 as provided in § 20-22-711, any pyrotechnics, commonly known as fireworks,
26 other than the permissible items enumerated in this section, except as
27 provided in this subchapter.

28 (2) The permissible fireworks consist of those defined in
29 Interstate Commerce Commission United States Consumer Product Safety
30 Commission regulations described as Class C fireworks only and shall include
31 the following:

32 ~~(1)(A)(i)~~ (i) Roman candles, with no handle or spike affixed
33 thereto, not exceeding ten (10) balls spaced uniformly in the tube, total
34 pyrotechnic composition not to exceed twenty grams (20 g~~+~~) each in weight.

35 (ii) The inside tube diameter shall not exceed
36 three-eighths inch (3/8");



1 ~~(2)~~(B)(i) Sky rockets, with sticks, total pyrotechnic
 2 composition not to exceed twenty grams (20 g \rightarrow) each in weight.

3 (ii) The inside tube diameter shall not exceed one-
 4 half inch (1/2").

5 (iii) The rocket sticks ~~must~~ shall be securely
 6 fastened to the tubes.

7 (iv) However, a skyrocket, customarily known as a
 8 "bottle rocket", is not permissible if the outside diameter of the casing is
 9 less than three-eighths of an inch (3/8"), and the casing is less than two
 10 and one-fourth inches (2 1/4") in length;

11 ~~(3)~~(C)(i) Helicopter-type rockets, total pyrotechnic
 12 composition not to exceed twenty grams (20 g \rightarrow) each in weight.

13 (ii) The inside tube diameter shall not exceed one-
 14 half inch (1/2");

15 ~~(4)~~(D)(i) Cylindrical fountains, total pyrotechnic
 16 composition not to exceed seventy-five grams (75 g \rightarrow) each in weight.

17 (ii) The inside tube diameter shall not exceed
 18 three-fourths inch (3/4");

19 ~~(5)~~(E) Cone fountains, total pyrotechnic composition not
 20 to exceed ~~fifty (50) grams~~ fifty grams (50 g) each in weight;

21 ~~(6)~~(F)(i) Wheels, total pyrotechnic composition not to
 22 exceed sixty grams (60 g \rightarrow) for each driver unit or two hundred forty grams
 23 (240 g \rightarrow) for each complete wheel.

24 (ii) The inside tube diameter of driver units shall
 25 not exceed one-half inch (1/2");

26 ~~(7)~~(G) Illuminating torches and colored fire in any form,
 27 except items included in subdivision (a)(12) (a)(2)(L) of this section, total
 28 pyrotechnic composition not to exceed one hundred grams (100 g \rightarrow) in weight;

29 ~~(8)~~(H) Sparklers and dipped sticks, total pyrotechnic
 30 composition not to exceed one hundred grams (100 g \rightarrow) each in weight.
 31 Pyrotechnic composition containing any chlorate or perchlorate shall not
 32 exceed five grams (5 g \rightarrow);

33 ~~(9)~~(I) Mines and shells of which the mortar is an integral
 34 part, total pyrotechnic composition not to exceed forty grams (40 g \rightarrow) each in
 35 weight;

36 ~~(10)~~(J) Firecrackers and salutes with casings, the

1 external dimensions of which do not exceed one and one-half inches (1 1/2")
 2 in length or one-quarter inch (1/4") in diameter, and other items designed to
 3 produce an audible effect, total pyrotechnic composition not to exceed ~~two~~
 4 ~~(2) grams~~ two grams (2 g) each in weight;

5 ~~(11)~~(K) Novelties consisting of two (2) or more devices
 6 enumerated in this ~~paragraph~~ subdivision (a)(2), trick matches, and cigarette
 7 plugs, when approved by the Federal Bureau of Alcohol, Tobacco, Firearms and
 8 Explosives; and

9 ~~(12)~~(L) Railway ~~fuses~~ fuses, truck flares, hand ship
 10 distress signals, smoke signals, and smoke pots.

11 (b) No component of any device listed in this section ~~which~~ that is
 12 designed to produce an audible effect shall contain pyrotechnic composition
 13 in excess of ~~two (2) grams~~ two grams (2 g) in weight excluding propelling or
 14 expelling charges.

15 (c)(1) On January 1, 2008, the possession, sale, and use of the common
 16 fireworks devices customarily known as "bottle rockets", as described in
 17 subdivision (a)(2)(B) of this section, is unlawful within the State of
 18 Arkansas.

19 (2) However, the possession or sale of bottle rockets by a
 20 manufacturer, importer, distributor, or jobber wholesaler to a person outside
 21 the State of Arkansas for the purpose of resale outside of the state shall
 22 not be considered as possession or sale occurring within the State of
 23 Arkansas.

24 (3) Any person who pleads guilty or nolo contendere to or is
 25 found guilty of violating this subsection is guilty of a Class C misdemeanor.