From the Maine Fire Marshal's Office
Website:http://www.maine.gov/dps/fmo/inspections/fireworks.html

Fireworks Law & Regulations

Fireworks Are Legal in The State of Maine with some exceptions as described below.

Under Chapter 416 "An Act to Legalize the Sale, Possession and Use of Fireworks" fireworks have been broken into three categories as follows:

1. **Consumer Fireworks**
2. **Fireworks**
3. **Display or Commercial Grade Fireworks**

Consumer Fireworks has the same meaning as in 27 Code of Federal Regulations, Section 555.11 or subsequent provision, but includes only products that are tested and certified by a 3rd-party testing laboratory as conforming with United States Consumer Product Safety Commission standards, in accordance with 15 United States Code, Chapter 47. **"Consumer fireworks" does not include the following products which are illegal to sell, use or possess in Maine** :

A. Missile-type rockets, as defined by the State Fire Marshal by rule;
B. Helicopters and aerial spinners, as defined by the State Fire Marshal by rule; and
C. Sky rockets and bottle rockets. For purposes of this paragraph, "sky rockets and bottle rockets"
means cylindrical tubes containing not more than 20 grams of chemical composition, as defined by
the State Fire Marshal by rule, with a wooden stick attached for guidance and stability that rise into
the air upon ignition and that may produce a burst of color or sound at or near the height of flight.

Exceptions: Under Chapter 416, the legislative body of a municipality may adopt an ordinance to prohibit or restrict the sale or use of consumer fireworks within the municipality. Municipalities that prohibit or restrict the sale or use of consumer fireworks shall provide to the Office of the State Fire Marshal a copy of the relevant restriction or prohibition within 60 days of adoption. A municipality may require that a person obtain a municipal permit for selling consumer fireworks within the municipality. A municipality that chooses to issue municipal permits under this subsection shall notify the Office of the State Fire Marshal at least 60 days prior to the initiation of its permitting program for the sale of consumer fireworks.

For more information on Consumer Fireworks in Maine including licensing to sell consumer fireworks in Maine go to: Consumer Fireworks in Maine or call Richard E. Taylor at 626-3873.

Fireworks means any combustible or explosive composition or substance; any combination of such compositions or substances; or any other article which was prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, including blank

cartridges or toy cannons in which explosives are used, they type of balloon which requires fire underneath to propel it, firecrackers, torpedoes, skyrockets, roman candles, bombs, rockets, wheels, colored fires, fountains, mines, serpents, or other fireworks of like construction; any fireworks containing any explosive substance or flammable compound; or any other device containing any explosive substance or flammable compound. The term "Fireworks" does not include Consumer fireworks or toy pistols, toy canes, toy guns or other devices in which paper caps or plastic caps containing 25/100 grains or less of explosive compound are
used if they are constructed so that the hand can not come in contact with the cap when in place for the explosion, toy pistol paper caps or plastic caps that contain less than 20/100 grains of explosive mixture, sparklers that do not contain magnesium chlorates or perchlorates or signal, antique or replica cannons
if no projectile is fired.

Display or Commercial Grade Fireworks are fireworks that only trained and licensed pyrotechnicians may handle and use within a regulatory structure set forth in Title 8, Chapter 9-A.

ENFORCEMENT

It is the duty of the Investigations division of the State Fire Marshal's Office to enforce the following legislation.

Title 8, Section 222. A person may not possess or have under that person's control fireworks, unless they have a permit.

Title 8, Section 223. No person may sell or possess fireworks.

Title 8, 223-A. A person may not sell consumer fireworks without a license. See Consumer Fireworks In Maine

Title 8, Section 224. No person may store fireworks, except as permitted by the Department of Public Safety, State Fire Marshal's Office.

Title 8, Section 225. No person may transport fireworks, except as permitted by the Department of Public Safety, State Fire Marshal's Office.

Title 8, Section 226. No person may engage in the business of a fireworks display without first obtaining a permit from the Department of Public Safety, State Fire Marshal's Office.

Title 8, Section 227 Any person, municipality or association, desiring to discharge fireworks, must apply to the Department of Public Safety, State Fire Marshal's Office for a permit to discharge at least ten days in advance of the display.

Criminal Penalties

- For possession with the intent to sell or offer for sale fireworks or display or commercial grade fireworks is a:
    - Class B crime, if value exceeds $5,000.
    - Class C crime, if value exceeds $1,000.
    - Class D crime, if a person violates Title 8, Section 227 for failing to obtain a permit.
    - Class D crime, if value is $1,000 or less.
- For simple possession of fireworks or display or commercial grade fireworks without the intent to sell or offer for sale it is a:
    - Class E crime, if value possessed exceeds $100.00

    - Class E crime, if conducting the display in violation of the permit.
    - Civil Violation for possession of fireworks where value does not exceed $100.
- For criminal penalties pertaining to the misuse, possession, or sale of consumer fireworks see Consumer Fireworks In Maine

Please remember: "Be Careful with Fireworks!"

If you have any questions, please contact the State Fire Marshal's Office at (207) 626-3873.