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Frequently Asked Questions – Michigan Fireworks Safety Act

1. What type of fireworks is now legal in the State of Michigan as of January 1, 2012?

Effective January 1, 2012, the Act permits the sale and use of consumer fireworks such as Roman Candles, Bottle Rockets and other items that leave the ground are now legal in Michigan. For reference, specifics are listed in 16 CFR parts 1500 and .1507 and listed in American Pyrotechnics Association (APA) standard 87.1, 3.1.2, 3.1.3 or 3.5.

Low impact fireworks such as sparklers, snakes, snaps and poppers remain legal for sale and use. For reference, specifics are listed in APA standard 87.1, 3.1.1.1 to 3.1.1.8 and 3.5.

Novelty fireworks are not regulated under the Michigan Fireworks Safety Act.

Read more: What Are Novelty Fireworks? | eHow.com

http://www.ehow.com/info_8489748_novelty-fireworks.html#ixzz1gWYf7TT9

Display fireworks are large and explosive items typically used at celebrations and are locally permitted for use by professionals. They are not regulated by LARA.

2. Who may buy or use consumer fireworks? The Act prohibits the sale of consumer fireworks to a minor (Anyone under the age of 18). The Act prohibits the use of consumer fireworks by anyone who is under the influence of drugs or alcohol. Fireworks may not be used on public, school, or private property of another person unless express permission is obtained to use the fireworks on that property.

3. What are the requirements for someone to sell consumer fireworks in Michigan? Any person who is certified by the State of Michigan to sell consumer fireworks is eligible.

The applicant must pay an application fee of \$1000 for a permanent building or structure or \$600 for a retail location that is not a permanent building or structure that meets National Fire Protection Association (NFPA) requirements.

The applicant must also provide a copy of their current sales tax license at the time of application. The application must be submitted at least 90 days but no later than April 1st of the year the fireworks are sold. The retailer must also have a valid federal tax identification number unless the retailer is a sole proprietorship. In addition, any structure that is used for retail fireworks sales must be approved before a certificate is issued.

4. How long is the Consumer Fireworks Certificate valid for? The Consumer Fireworks Certificate is valid from the date of issue until April 30th the following year. A retailer must apply annually and meet all statutory requirements.

5. What is the Fireworks Safety Fee and how is it collected? The Fireworks Safety fee is a 6% consumer fee collected in addition to the 6% sales tax collected by the retailer on the retail sales of both consumer and low-impact fireworks. The fees are used to fund the operations of the Bureau of Fire Services and firefighter training. Like the sales tax, retailers are required to collect and submit the fees to the State of Michigan.

6. What are the requirements to run a fireworks retail location? In addition to having a valid Fireworks Consumer certificate that is prominently displayed, retailers must display the appropriate No Smoking signs. The retail location must meet association NFPA requirements to include a fire suppression system by January 1, 2013, in compliance with NFPA 1124, be licensed under Section 3 of the General Sales Tax Act. The retailer must also verify the age of purchaser through appropriate identification to ensure they are 18 years of age or older.

7. What if I only want to sell low impact fireworks like sparklers, snakes, snaps and poppers? The Act requires that any retailer selling low-impact fireworks in the State of Michigan register on-line each calendar year at least ten days before the low- impact fireworks are sold. The retailer must also collect the 6% Fireworks Safety Fee and remit those tax revenues to the State of Michigan. There is no cost associated with registration,

8. Do I have to register on the online registry if I sell both consumer and low impact fireworks? Yes. If a retailer sells both consumer fireworks, and low-impact fireworks, they must also register on the on-line registry before any low impact fireworks can be sold. The Consumer Fireworks Certificates only apply to the sale of consumer fireworks.

9. I have a display fireworks business. Do I now go to the State of Michigan to obtain a permit? No. All permits issued for the discharge of display fireworks are obtained from the local jurisdiction where the fireworks are being displayed. Any fees charged for these permits are charged by and retained by that local jurisdiction.

10. Who do I call for more information? Interested parties may call the Bureau of Fire Services, Michigan Department of Licensing and Regulatory Affairs at 517-241-8847. As more information becomes available, it will be posted on the Bureau of Fire website at www.michigan.gov/bfs

