

## What Does the New Fireworks Law Mean for Georgia Retailers?

A Brief Overview of the Important Considerations for Georgia Retailers regarding HB 110, allowing fireworks in Georgia.

The law creates a new category of allowable fireworks, called 'consumer fireworks'. The definition of consumer fireworks is: any small fireworks device containing restricted amounts of pyrotechnic composition, designed primarily to produce visible or audible effects by combustion and also include Roman candles (*References a number of federal and other national standards.*).

There shall be a 5% Consumer Fireworks excise tax on each item sold.

### Age Restrictions

- Individuals age 18 and over may use, possess, provide transport and store consumer fireworks
- Individuals age 16 or 17 (in a retail setting) may sell at retail location or possess/ transport/ etc if he/she is serving as an assistant to a licensed distributor or a nonprofit group (501c3) benefiting from the distributor

### Permanent Store Sales

- Retailers may sell consumer fireworks in a permanent store if: the store is in compliance with the NFPA 1124 requirements for a permanent store, and if the retailer is selling fireworks from a licensed distributor
- The initial license fee is \$5,000 with an annual fee of \$1,000 (the \$5,000 fee covers an entire chain of stores)
- Licensure requires the holder to maintain public liability and product liability insurance with a minimum coverage of \$2 mil

### Temporary Stand Sales

- Retailers may sell fireworks in a temporary store if: the store is in compliance with the NFPA 1124 requirements for a permanent store, if it is within 1,000 ft of a fire hydrant (limited exceptions) and is selling a licensed distributor's fireworks
- A retail chain may not operate any more than two temporary stands at a time for each store in the chain, and said stand must be located in the same county as the store (there is a limited exception)
- License fee is \$500 for a 90 day term
- Sales from stands shall accrue to the benefit of a nonprofit group, who shall directly participate in the operating of the stand

\*\*the legislation references terms and policies found in the NFPA 1124 (the National Fire Protection Association, Code for the manufacture, transportation, storage, and

retail sales of fireworks and pyrotechnic articles). Additional information can be found at [nfpa.org](https://www.nfpa.org)

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