

Sixtieth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1394

Introduced by

Representatives Thoreson, Charging, Dietrich, Kempenich, Wrangham

Senator G. Lee

1 A BILL for an Act to amend and reenact section 23-15-01 of the North Dakota Century Code,
2 relating to the sale of fireworks.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 23-15-01 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **23-15-01. Fireworks defined - Sale of fireworks.**

7 1. The term fireworks means any combustible or explosive composition, or any
8 substance or combination of substances or article prepared for the purpose of
9 producing a visible or an audible effect by combustion, explosion, deflagration, or
10 detonation. The term includes any blank cartridge, toy pistol, toy cannon, toy cane,
11 or toy gun in which an explosive other than a toy paper cap is used; balloon that
12 requires fire underneath to propel the balloon; firecracker, torpedo, skyrocket,
13 Roman candle, daygo bomb, sparkler, or other item of like construction; item
14 containing any explosive or flammable compound; or any tablet or other device
15 containing any explosive substance. This section does not apply to any toy paper
16 cap containing not more than twenty-five hundredths of a grain [16.20 milligrams]
17 of explosive composition per cap.

18 2. Any person operating a retail business and who has a retail license as provided in
19 section 23-15-04 may offer for sale and sell at retail that year, to any individual who
20 is at least twelve years of age, only during the period June ~~twenty-seventh~~ first
21 through July fifth, the following items:

22 ~~4-~~ a. A star light, with wood spike cemented in one end, total pyrotechnic
23 composition not to exceed twenty grams each in weight (10 ball).

- 1 ~~2-~~ b. A helicopter type flyer, total pyrotechnic composition not to exceed twenty
2 grams each in weight.
3 ~~3-~~ c. A cylindrical fountain, total pyrotechnic composition not to exceed seventy-five
4 grams each in weight. The inside tube diameter may not exceed three-fourths
5 inch [19.05 millimeters].
6 ~~4-~~ d. A cone fountain, total pyrotechnic composition not to exceed fifty grams each
7 in weight.
8 ~~5-~~ e. A wheel, total pyrotechnic composition not to exceed sixty grams in weight, for
9 each driver unit, but there may be any number of drivers on any one wheel.
10 The inside bore of a driver tube may not be over one-half inch [12.7
11 millimeters].
12 ~~6-~~ f. An illuminating torch or a colored fire in any form, total pyrotechnic
13 composition not to exceed one hundred grams each in weight.
14 ~~7-~~ g. A sparkler or a dipped stick, total pyrotechnic composition not to exceed one
15 hundred grams each in weight. Pyrotechnic composition containing any
16 chlorate may not exceed five grams.
17 ~~8-~~ h. A comet or shell, of which the mortar is an integral part, except a comet or
18 shell designed to produce an audible effect, total pyrotechnic composition not
19 to exceed forty grams each in weight.
20 ~~9-~~ i. A soft shell firecracker not to exceed one and one-half inches [38.1
21 millimeters] in length and one-fourth inch [6.35 millimeters] in diameter, total
22 pyrotechnic composition not to exceed fifty milligrams each in weight.
23 ~~10-~~ j. A whistle without report, total pyrotechnic composition not to exceed forty
24 grams each in weight.