

Florida's Fireworks Laws: What's Legal, and What's Not?

Duty to A.C.T.
Accountability
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What Can I Use?

You can use anything the state considers a "sparkler".

A sparkler is defined as a device which emits showers of sparks upon burning, does not contain any explosive compounds, does not detonate or explode, is handheld or ground based, cannot propel itself through the air, and contains not more than 100 grams of the chemical compound which produces sparks upon burning.

"Sparklers" also includes snakes or glow worms, smoke devices, trick noisemakers, party poppers, booby traps, snappers, trick matches that produce a spark, cigarette loads and auto burglar alarms.

It is acceptable to shoot your sparklers in your yard.

What's Not Allowed?

It's illegal to buy, sell or even explode consumer fireworks - even on your own property - unless you (A) have a city permit to shoot off fireworks for the public to enjoy; (B) will use the explosives to scare off birds from a farm or fish hatchery; or (C) you work on a railroad and need to light or clear a path for your train.

Fireworks is defined as any combustible or explosive composition or substance or combination of substances or any article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation.

The term includes blank cartridges and toy cannons in which explosives are used, the type of balloons which require fire underneath to propel them, firecrackers, torpedoes, skyrockets, roman candles, dago bombs, and any fireworks containing any explosives or flammable compound or any tablets or other device containing any explosive substance.

What If I Sign A Waiver?

Won't That Protect Me?

A large portion of the items for sale in stores and roadside tents are unapproved, which is why they make you sign a waiver. But the waiver protects the seller, not you.

As an example, here are a few excerpts from a waiver a buyer may sign:

"I have reviewed Sections 791.04 (I own a railroad company) and 791.07 (I run a fish hatchery) of chapter 791, Florida Statutes, and my purchase of the fireworks falls within the expectations specified herein."

"The seller is not responsible for any damages or injuries caused by the use, misuse, improper use, or illegal use of fireworks."

How Much Trouble Could I Be In?

Up to a year in prison, a \$1,000 fine and court costs.

The rule of thumb: If it launches or explodes, it's illegal.

To get more information on Florida's Fireworks Laws, go to:
<http://flsenate.gov/Laws/Statutes/2011/Chapter791/All>