



Public Comment No. 2-NFPA 1124-2024 [Section No. 1.1]

1.1 Scope.

This code shall provide regulations for the construction, use, and maintenance of buildings and facilities for the following:

- (1) The manufacture and storage of fireworks, novelties, and pyrotechnic articles at manufacturing facilities
- (2) The storage of display fireworks, pyrotechnic articles, salute powder, pyrotechnic and explosive compositions, and Black Powder at other than display sites
- (3) The storage of consumer fireworks at display fireworks storage facilities
- (4) The transportation on public highways of fireworks, pyrotechnic articles, and components thereof containing pyrotechnic or explosive materials

~~1.1.1~~ –

~~(5) This code shall~~

~~not~~

~~apply to the retail sales and related storage of consumer fireworks at~~

~~the same site~~

~~distribution facilities and consumer fireworks retail sales facilities .~~

Statement of Problem and Substantiation for Public Comment

The submitter of this Public Input is absolutely correct.

The retail sales of consumer fireworks for use by the general public is the only consumer product the NFPA prohibits to be included in the NFPA Fire Code. Only one state, Massachusetts, currently prohibits the retail sale of all types of consumer fireworks for use by the general public. Other jurisdictions that prohibit or restrict retail sale of all types of consumer fireworks for use by the general public, however in this modern world with exceptional transportation systems, these prohibitions and restrictions are impossible to enforce.

Consumer fireworks are more popular and prevalent today than at any time in our history, with more distribution facilities and consumer fireworks retail sales facilities than ever. Ignoring this reality only increases risks to safety because there are only stern warnings and no real public education.

Engagement by the fire service and the fireworks trade combined with improved public education has helped reduce the risks to safety in those jurisdictions that have chosen to do so. The proliferation of fireworks that are more powerful than consumer fireworks from clandestine sources has grown, especially into those jurisdictions that prohibit or severely limit retail sales of consumer fireworks for use by the general public. This poses an even greater risk to safety.

The TC on Pyrotechnics should continue to petition the Standards Council to revise the TC Scope and include Chapters 6 & 7 of NFPA 1124 - 2013.

Related Item

- Public Input No. 3 Section 1.1.1

Submitter Information Verification

Submitter Full Name: Charles Weeth

Organization: Weeth & Associates, LLC

Street Address:

City:

State:

Zip:

Submittal Date: Thu May 30 14:11:38 EDT 2024

Committee: PYR-AAA

Committee Statement

Committee Action: Rejected

Resolution: The retail sales and storage of consumer fire works is outside the scope of this code and technical committee.



Public Comment No. 1-NFPA 1124-2024 [Section No. 3.3.25]

3.3.25* Fireworks.

Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, deflagration, or detonation, that meets the definition of Articles Pyrotechnic, Consumer Fireworks or Display Fireworks as set forth in this code.

3.3.25.1 Articles Pyrotechnic

Small to medium sized pyrotechnic devices that are primarily designed to produce visual and audible effects for entertainment, special effects, and close proximity usage by a pyrotechnic professional. These effects are primarily caused by combustion or deflagration and are classified as "Article, Pyrotechnic". UN0431 or UN0432 in accordance with CPSC 49 CFR 172 and APA 87-1, Standard for the Construction and Approved Transportation of Fireworks, Novelties, and Theatrical Pyrotechnics.

3.3.25.1* Consumer Fireworks.

Small fireworks devices containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion and that comply with the construction, chemical composition, and labeling regulations of the US Consumer Product Safety Commission (CPSC), as set forth in CPSC 16 CFR 1500 and 1507, as well as 49 CFR 172 and APA 87-1, Standard for the Construction and Approved Transportation of Fireworks, Novelties, and Theatrical Pyrotechnics.

3.3.25.2* Display Fireworks.

Large fireworks devices that ~~include~~ are explosive materials intended for use in fireworks displays and designed to produce visible or audible effects by combustion, deflagration, or detonation, as set forth in 27 CFR 555- ~~and 49 CFR 172~~ , 49 CFR 172, and APA 87-1, Standard for the Construction and Approval for Transportation of Fireworks, Novelties, and Theatrical Pyrotechnics.

3.3.X* Pyrotechnic Professional.

A person who has demonstrated proficiency and knowledge of NFPA 1123 or NFPA 1126 through documented training and experience in the use of fireworks, pyrotechnic special effect materials, or professional use only products and who complies with the requirements of this standard.

A3.3.X

Knowledge and training may be met through any of the following methods (or combination thereof):

- (1) A valid proximate pyrotechnics or commercial display operator's license issued by the authority having jurisdiction.
- (2) Completion of a recognized education or training curriculum acceptable to the authority having jurisdiction.
- (3) Prior experience or demonstrated skill and testing acceptable to the authority having jurisdiction.

Statement of Problem and Substantiation for Public Comment

Adds a definition for articles pyrotechnic and pyrotechnic professional.

Related Item

• PI 10 NFPA 1124 • NFPA 1123 • NFPA 1126

Submitter Information Verification

Submitter Full Name: Joshua Lazarus
Organization: J Lazarus Consulting & Trainin
Street Address:
City:
State:
Zip:
Submittal Date: Mon Mar 18 13:27:51 EDT 2024
Committee: PYR-AAA

Committee Statement

Committee Action: Rejected
Resolution: The term pyrotechnic professional is not used in the document and cannot be added to the definitions. Additionally the APA standard proposed to be added back was withdrawn to a different series of APA standards.