



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB3803

Introduced 2/25/2005, by Rep. Frank J. Mautino - William B. Black

SYNOPSIS AS INTRODUCED:

225 ILCS 227/5
225 ILCS 227/30

Amends the Pyrotechnic Operator Licensing Act. Provides that "display fireworks" are Division 1.3G explosives (rather than Division 1.3G or 1.4). Provides that the State Fire Marshal shall adopt rules regarding Division 1.3G explosives (rather than Division 1.3G and 1.4).

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1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Pyrotechnic Operator Licensing Act is
5 amended by changing Sections 5 and 30 as follows:

6 (225 ILCS 227/5)

7 Sec. 5. Definitions. In this Act:

8 "Display fireworks" means any substance or article defined
9 as a Division 1.3G ~~or 1.4~~ explosive by the United States
10 Department of Transportation under 49 CFR 173.50, except a
11 substance or article exempted under the Fireworks Use Act.

12 "Fireworks" has the meaning given to that term in the
13 Fireworks Use Act.

14 "Lead pyrotechnic operator" means the individual with
15 overall responsibility for the safety, setup, discharge, and
16 supervision of a pyrotechnic display.

17 "Office" means Office of the State Fire Marshal.

18 "Person" means an individual, firm, corporation,
19 association, partnership, company, consortium, joint venture,
20 commercial entity, state, municipality, or political
21 subdivision of a state or any agency, department, or
22 instrumentality of the United States and any officer, agent, or
23 employee of these entities.

24 "Pyrotechnic display" or "display" means the detonation,
25 ignition, or deflagration of display fireworks to produce a
26 visual or audible effect of an exhibitional nature before the
27 public, invitees, or licensees, regardless of whether
28 admission is charged.

29 (Source: P.A. 93-263, eff. 7-22-03.)

30 (225 ILCS 227/30)

31 Sec. 30. Rules. The State Fire Marshal shall adopt all

1 rules necessary to carry out its responsibilities under this
2 Act including rules requiring the training, examination, and
3 licensing of lead pyrotechnic operators engaging in or
4 responsible for the handling and use of Division 1.3G (Class B)
5 ~~and 1.4 (Class C)~~ explosives. The test shall incorporate the
6 rules of the State Fire Marshal, which shall be based upon
7 nationally recognized standards such as those of the National
8 Fire Protection Association (NFPA) 1123 guidelines for outdoor
9 displays and NFPA 1126 for indoor displays. The Fire Marshal
10 shall adopt rules as required for the licensing of a lead
11 pyrotechnic operator involved in an outdoor or indoor
12 pyrotechnic display.

13 (Source: P.A. 93-263, eff. 7-22-03.)