

NEBRASKA ADMINISTRATIVE CODE

Title 157 - STATE FIRE MARSHAL

Note: The below regulations are additions to Title 157.

Chapter 2 - Permissible Fireworks List

002.05. All persons licensed to sell fireworks in Nebraska will only be allowed to submit twenty (20) new pyrotechnic or fireworks items for the State Fire Marshal annual safety testing shoot.

Chapter 4 - Licensing

003.03B. Retail Applications will not be accepted or issued after normal business hours on June 30th of each year.

Legal Citation: Title 157 - Chapters 2, 4 and 8 - Nebraska State Fire Marshal

Statutory Citation: Neb. Rev. Stat. § 28-1252 (1995)



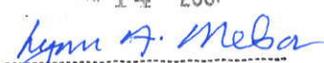
APPROVED

JUN 20 2000


MIKE JOHANNS
GOVERNOR

Amendments
APPROVED
DON STENBERG
ATTORNEY GENERAL

JUN 14 2000

BY 
Assistant Attorney General

Title 157 - STATE FIRE MARSHAL

Chapter 2 - PERMISSIBLE FIREWORKS LIST

001. The State Fire Marshal will maintain an annually updated list of fireworks approved for use in the State of Nebraska. Neb. Rev. Stat. 28-1241 lists certain fireworks as being permissible and 28-1247 instructs the State Fire Marshal to add such fireworks to this list as he or she deems proper. This chapter outlines procedures to be followed by the State Fire Marshal in the approval of the permissible fireworks list.

002. All persons licensed to sell fireworks in Nebraska who wish to sell fireworks not found on the current permissible fireworks list shall submit samples of those types of fireworks to the State Fire Marshal's office for safety testing.

002.01. All sample submissions must be made between August 1st and September 1st.

002.02. Safety testing will take place during September or October of each year. Such testing will be conducted to determine the sample's compliance with subsection (5) of Neb. Rev. Stat. 28-1241 and whether the sample is safe for general use.

002.03. All persons submitting samples to be tested will be notified of the time and location of the safety test. All persons are free to attend the testing, but are not required to be present.

002.04. Only fireworks which do not appear on the current permissible fireworks list should be submitted for testing. Any firework which is to be removed from the list will be removed only after the public hearing is held to adopt the annual list.

003. All fireworks which are tested and determined to be in compliance with section 28-1241 and safe for general use shall be adopted and promulgated by the State Fire Marshal as part of the permissible fireworks list.

Title 157 - STATE FIRE MARSHAL
Chapter 2

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004. The State Fire Marshal shall publish the updated permissible fireworks list in January of each year. The list will be effective for that calendar year.

004.01. The list will be sent to all licensees and to anyone who requests a copy of the list from the State Fire Marshal's office. Copies of the list will also be available for inspection at the State Fire Marshal's office during business hours.

005. The following novelty items, snakes and sparklers, do not require a permit to be sold in Nebraska:

- Auto Jokers/Foolers
- Bang Matches
- Blaster Balls
- Boobey Traps/Pulling Fireworks
- Cap Guns and Caps
- Champagne Party Poppers
- Cigarette Loads
- Magnum Pistol Popper
- Snappers - Novelty-type ONLY
- Sparkle Matches
- Smoke Items (all balls, cartridges, or other devices designed to produce smoke of one or more color -(010.)
- Snakes and Charmers (011.)
- Wire Sparklers - Gold, Silver or Colored, #8 ONLY
- Xmas Party Popper

Legal Citation: Title 157, Ch. 2, Nebraska State Fire Marshal.