

HB2168



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2168

Introduced 2/17/2021, by Rep. Jim Durkin

SYNOPSIS AS INTRODUCED:

425 ILCS 35/1

from Ch. 127 1/2, par. 127

Amends the Pyrotechnic Use Act. Makes a technical change in a Section concerning definitions.

LRB102 12400 CPF 17737 b

A BILL FOR

1 AN ACT concerning safety.

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

4 Section 5. The Pyrotechnic Use Act is amended by changing
5 Section 1 as follows:

6 (425 ILCS 35/1) (from Ch. 127 1/2, par. 127)

7 Sec. 1. Definitions. As used in this Act, the ~~the~~
8 following words shall have the following meanings:

9 "1.3G fireworks" means those fireworks used for
10 professional outdoor displays and classified as fireworks
11 UN0333, UN0334, or UN0335 by the United States Department of
12 Transportation under 49 C.F.R. 172.101.

13 "Consumer distributor" means any person who distributes,
14 offers for sale, sells, or exchanges for consideration
15 consumer fireworks in Illinois to another distributor or
16 directly to any retailer or person for resale.

17 "Consumer fireworks" means those fireworks that must
18 comply with the construction, chemical composition, and
19 labeling regulations of the U.S. Consumer Products Safety
20 Commission, as set forth in 16 C.F.R. Parts 1500 and 1507, and
21 classified as fireworks UN0336 or UN0337 by the United States
22 Department of Transportation under 49 C.F.R. 172.101.

23 "Consumer fireworks" shall not include snake or glow worm

1 pellets; smoke devices; trick noisemakers known as "party
2 poppers", "booby traps", "snappers", "trick matches",
3 "cigarette loads", and "auto burglar alarms"; sparklers; toy
4 pistols, toy canes, toy guns, or other devices in which paper
5 or plastic caps containing twenty-five hundredths grains or
6 less of explosive compound are used, provided they are so
7 constructed that the hand cannot come in contact with the cap
8 when in place for the explosion; and toy pistol paper or
9 plastic caps that contain less than twenty hundredths grains
10 of explosive mixture; the sale and use of which shall be
11 permitted at all times.

12 "Consumer fireworks display" or "consumer display" means
13 the detonation, ignition, or deflagration of consumer
14 fireworks to produce a visual or audible effect.

15 "Consumer operator" means an adult individual who is
16 responsible for the safety, setup, and discharge of the
17 consumer fireworks display and who has completed the training
18 required in Section 2.2 of this Act.

19 "Consumer retailer" means any person who offers for sale,
20 sells, or exchanges for consideration consumer fireworks in
21 Illinois directly to any person with a consumer display
22 permit.

23 "Display fireworks" means 1.3G or special effects
24 fireworks or as further defined in the Pyrotechnic Distributor
25 and Operator Licensing Act.

26 "Flame effect" means the detonation, ignition, or

1 deflagration of flammable gases, liquids, or special materials
2 to produce a thermal, physical, visual, or audible effect
3 before the public, invitees, or licensees, regardless of
4 whether admission is charged, in accordance with National Fire
5 Protection Association 160 guidelines, and as may be further
6 defined in the Pyrotechnic Distributor and Operator Licensing
7 Act.

8 "Lead pyrotechnic operator" means an individual who is
9 responsible for the safety, setup, and discharge of the
10 pyrotechnic display or pyrotechnic service and who is licensed
11 pursuant to the Pyrotechnic Distributor and Operator Licensing
12 Act.

13 "Person" means an individual, firm, corporation,
14 association, partnership, company, consortium, joint venture,
15 commercial entity, state, municipality, or political
16 subdivision of a state or any agency, department, or
17 instrumentality of the United States and any officer, agent,
18 or employee of these entities.

19 "Production company" means any person in the film, digital
20 and video media, television, commercial, music, or theatrical
21 stage industry who provides pyrotechnic services or
22 pyrotechnic display services as part of a film, digital and
23 video media, television, commercial, music, or theatrical
24 production in the State of Illinois and is licensed by the
25 Office pursuant to the Pyrotechnic Distributor and Operator
26 Licensing Act.

1 "Pyrotechnic display" means the detonation, ignition, or
2 deflagration of display fireworks or flame effects to produce
3 visual or audible effects of an exhibitional nature before the
4 public, invitees, or licensees, regardless of whether
5 admission is charged, and as may be further defined in the
6 Pyrotechnic Distributor and Operator Licensing Act.

7 "Pyrotechnic distributor" means any person who distributes
8 display fireworks for sale in the State of Illinois or
9 provides them as part of a pyrotechnic display service in the
10 State of Illinois or provides only pyrotechnic services and is
11 licensed by the Office pursuant to the Pyrotechnic Distributor
12 and Operator Licensing Act.

13 "Pyrotechnic service" means the detonation, ignition, or
14 deflagration of display fireworks, special effects, or flame
15 effects to produce a visual or audible effect.

16 "Special effects fireworks" means pyrotechnic devices used
17 for special effects by professionals in the performing arts in
18 conjunction with theatrical, musical, or other productions
19 that are similar to consumer fireworks in chemical
20 compositions and construction, but are not intended for
21 consumer use and are not labeled as such or identified as
22 "intended for indoor use". "Special effects fireworks" are
23 classified as fireworks UN0431 or UN0432 by the United States
24 Department of Transportation under 49 C.F.R. 172.101.

25 (Source: P.A. 99-642, eff. 7-28-16.)