

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1089

Short Title: Legalize Some Pyrotechnics.

(Public)

Sponsors: Representatives Redwine; and Flaherty.

Referred to: Judiciary II.

April 19, 1993

A BILL TO BE ENTITLED

AN ACT RELATING TO THE DEFINITION OF PYROTECHNICS UNDER
CHAPTER 14 OF THE NORTH CAROLINA GENERAL STATUTES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-414 reads as rewritten:

"§ 14-414. Pyrotechnics defined; exceptions.

For the proper construction of the provisions of this Article, 'pyrotechnics,' as is herein used, shall be deemed to be and include any and all kinds of fireworks and explosives, which are used for exhibitions or amusement purposes: provided, however, that nothing herein contained shall prevent the manufacture, purchase, sale, transportation, and use of explosives or signaling flares used in the course of ordinary business or industry, or shells or cartridges used as ammunition in firearms. This Article shall not apply to the sale, use, or possession of ~~explosive caps designed to be fired in toy cap pistols, provided that the explosive mixture of such explosive caps shall not exceed twenty-five hundredths (.25) of a gram for each cap.~~ the following:

(1) Explosive caps designed to be fired in toy pistols, provided that the explosive mixture of the explosive caps shall not exceed twenty-five hundredths (.25) of a gram for each cap.

(2) Snake and glow worms composed of pressed pellets of pyrotechnic mixture not containing mercuric thiocyanate that produce a large, snake-like ash when burning.

(3) Smoke devices consisting of a tube or sphere containing pyrotechnic mixture that produces white or colored smoke.

- 1 (4) Trick noisemakers which produce a small report designed to surprise
2 the user and which include:
- 3 a. A party popper, which is a small plastic or paper item
4 containing not in excess of 16 milligrams of explosive mixture
5 that is friction sensitive. A string protruding from the device is
6 pulled to ignite the device, expelling paper streamers and
7 producing a small report.
- 8 b. A string popper, which is a small tube containing not in excess
9 of 16 milligrams of explosive mixture with string protruding
10 from both ends. The strings are pulled to ignite the friction-
11 sensitive mixture, producing a small report.
- 12 c. A snapper or drop pop, which is a small, paper-wrapped item
13 containing no more than 16 milligrams of explosive mixture
14 coated on small bits of sand. When dropped, the device
15 produces a small report.
- 16 (5) Wire sparklers consisting of wire or stick coated with nonexplosive
17 pyrotechnic mixture that produces a shower of sparks upon ignition.
18 These items may not contain magnesium and must not exceed 100
19 grams of mixture per item. Devices containing any chlorate or
20 perchlorate salts may not exceed five grams of mixture per item.
- 21 (6) Other sparkling devices which emit showers of sparks and sometimes
22 a whistling or crackling effect when burning, do not contain any
23 explosive compounds, do not detonate or explode, do not spin, are
24 hand held or ground-based, cannot propel themselves through the air,
25 and contain not more than 75 grams of chemical compound per tube,
26 or not more than a total of 200 grams if multiple tubes are used."

27 Sec. 2. This act becomes effective December 1, 1993. Prosecutions for
28 offenses committed before the effective date of this act are not abated or affected by this
29 act, and the statutes that would be applicable but for this act remain applicable to those
30 prosecutions.