**Section 230.20 Definitions**

For purposes of this Part, the term:

*"1.3G fireworks" means fireworks that are used for professional outdoor displays and classified as fireworks UN0333, UN0334 or UN0335 by the United States Department of Transportation (USDOT) under 49 CFR 172.101*. [225 ILCS 227/5] USDOT assigns the following division numbers to the above-referenced fireworks identification numbers: UN0333 (1.1G), UN0334 (1.2G), and UN0335 (1.3G). (See 49 CFR 172.101.)

"Act" means the Pyrotechnic Distributor and Operator Licensing Act.

"Applicant" means an individual applying for a license under this Part.

"Assistant" means an on-site individual who is at least 18 years of age and who, under the supervision of the lead operator, assists with the safety, setup and discharge of a pyrotechnic display.

"ATF" *means the federal Bureau of Alcohol, Tobacco, Firearms* and Explosives. [225 ILCS 227/5]

*"Consumer fireworks" means fireworks that must comply with the construction, chemical composition, and labeling regulations of the U.S. Consumer Products Safety Commission, as set forth in 16 CFR 1500 and 1507, and classified as fireworks UN0336 or UN0337 by USDOT under 49 CFR 172.101. "Consumer fireworks" does not include a substance or article exempted under the Pyrotechnic Use Act*. [225 ILCS 227/5] USDOT assigns the following division numbers to the above-referenced fireworks identification numbers: UN0336 (1.4G) and UN0337 (1.4S). (See 49 CFR 172.101.)

*"Display fireworks" means* any substance or article defined as a *Division 1.3G explosive or special effects fireworks*. [225 ILCS 227/5]

"DNR" means the Illinois Department of Natural Resources.

*"Facility" means an area being used for the conducting of a pyrotechnic display business, but does not include residential premises except for the portion of any residential premises that is actually used in the conduct of a pyrotechnic display business.* [225 ILCS 227/5]

"FBI" means the Federal Bureau of Investigation.

"*Flame effect" means the detonation, ignition, or deflagration of flammable gases, liquids, or special materials to produce a thermal, physical, visual, or audible effect before the public, invitees, or licensees, regardless of whether admission is charged in accordance with NFPA 160.* [225 ILCS 227/5]

"Flame effect license" means a license issued to a qualified lead pyrotechnic operator for flame effect displays. A license may be limited to a certain type of display, effect or location.

"Illinois Display Report" means the report filed by the lead operator with OSFM providing certain information with respect to the pyrotechnic display.

"ISP" means the Illinois Department of State Police.

*"Lead pyrotechnic operator"* or "lead operator" *means the* on-site *individual*, who is at least 21 years of age, *with overall responsibility for safety, setup, discharge, and supervision of a pyrotechnic display or pyrotechnic service*. [225 ILCS 227/5]

"License" means the license issued by OSFM pursuant to the Act and this Part.

"Licensee" means the individual licensed in accordance with the Act and this Part.

"NFPA" means the National Fire Protection Association, a nationally recognized standards-making organization.

"Officer" means:

if the applicant is a political subdivision of the State, an appointed or elected official; or

if the business is a sole proprietorship, the owner of the business or any person exercising managerial control; or

if the business is a partnership, any partner who has at least 10% ownership interest or any person exercising managerial control; or

if the business is a corporation, any officer or director of the corporation, any person who has at least 10% ownership interest in the corporation, or any person exercising managerial control.

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

"Outdoor professional display" means an outdoor pyrotechnic display that uses 1.3G fireworks and is at least 75' from the audience in accordance with NFPA 1123.

"Outdoor professional license" means the license issued to a qualified lead pyrotechnic operator for 1.3G fireworks.

*"Person" means an individual, firm, corporation, association, partnership, company, consortium, joint venture, commercial entity, state, municipality, or political subdivision of a state or any agency, department, or instrumentality of the United States and any officer, agent, or employee of these entities.* [225 ILCS 227/5]

*"Production company" means any person in the film, digital and video media, television, commercial, and theatrical stage industry who provides pyrotechnic services or pyrotechnic display services as part of a film, digital and video media, television, commercial, or theatrical production in the State of Illinois.* [225 ILCS 227/5]

"Proscenium curtain" means the curtain covering the opening of the stage that is constructed and mounted in a manner that intercepts hot gases, flames and smoke and that prevents flame from a fire on the stage from becoming visible from the auditorium side.

"Proximate audience display" means a display of special effects fireworks that occurs within a building or structure or that occurs outside before an audience closer than 75' to the pyrotechnic or flame devices.

"Proximate audience license" means a license issued to a qualified lead pyrotechnic operator for proximate audience displays. The license may be limited to a certain type of display, effect or location.

*"Pyrotechnic display" or "display" means the detonation, ignition, or deflagration of display fireworks or flame effects to produce a visual or audible effect of an exhibitional nature before the public, invitees, or licensees, regardless of whether admission is charged.* [225 ILCS 227/5]

*"Pyrotechnic distributor" or "distributor" means any person who distributes display fireworks for sale in the State of Illinois or provides them as part of a pyrotechnic display service in the State of Illinois or provides only pyrotechnic services*. [225 ILCS 227/5]

*"Pyrotechnic service" means the detonation, ignition or deflagration of display fireworks, special effects or flame effects to produce a visual or audible effect.* [225 ILCS 227/5]

*"Special effects fireworks" means pyrotechnic devices used for special effects by professionals in the performing arts in conjunction with theatrical, musical, or* *other productions that are similar to consumer fireworks in chemical compositions and construction, but are not intended for consumer use and are not labeled as such and must be identified as "intended for indoor use". Special effects fireworks are classified as fireworks UN0431 or UN0432 by USDOT under 49 CFR 172.101*. [225 ILCS 227/5]USDOT assigns the following division numbers to the above-referenced pyrotechnic article identification numbers: UN0431 (1.4G) and UN0432 (1.4S). (See 49 CFR 172.101.)

"Supervision" means direction and management of the activities of personnel in the safety, setup and display of a pyrotechnic display.

"USDOT" means the United States Department of Transportation.

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