



Executive Committee

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09600SB1267ham001

LRB096 07506 ASK 26642 a

1 AMENDMENT TO SENATE BILL 1267

2 AMENDMENT NO. _____. Amend Senate Bill 1267 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Pyrotechnic Distributor and Operator
5 Licensing Act is amended by changing Sections 5, 10, 30, 35,
6 50, 57, 60, 90 and by adding Sections 95 and 97 as follows:

7 (225 ILCS 227/5)

8 Sec. 5. Definitions. In this Act:

9 "1.3G fireworks" means fireworks that are 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 "BATFE" means the federal Bureau of Alcohol, Tobacco, ~~and~~
14 Firearms and Explosives Enforcement.

15 "Consumer fireworks" means fireworks that must comply with
16 the construction, chemical composition, and labeling

1 regulations of the U.S. Consumer Products Safety Commission, as
2 set forth in 16 C.F.R. Parts 1500 and 1507, and classified as
3 fireworks UN0336 or UN0337 by the United States Department of
4 Transportation under 49 C.F.R. 172.101. "Consumer fireworks"
5 does not include a substance or article exempted under the
6 Pyrotechnic Fireworks Use Act.

7 "Display fireworks" means 1.3G explosive or special
8 effects fireworks.

9 "Facility" means an area being used for the conducting of a
10 pyrotechnic display business, but does not include residential
11 premises except for the portion of any residential premises
12 that is actually used in the conduct of a pyrotechnic display
13 business.

14 "Flame effect" means the detonation, ignition, or
15 deflagration of flammable gases, liquids, or special materials
16 to produce a thermal, physical, visual, or audible effect
17 before the public, invitees, or licensees, regardless of
18 whether admission is charged in accordance with NFPA 160.

19 "Lead pyrotechnic operator" means the individual with
20 overall responsibility for the safety, setup, discharge, and
21 supervision of a pyrotechnic display or pyrotechnic service.

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

23 "Person" means an individual, firm, corporation,
24 association, partnership, company, consortium, joint venture,
25 commercial entity, state, municipality, or political
26 subdivision of a state or any agency, department, or

1 instrumentality of the United States and any officer, agent, or
2 employee of these entities.

3 "Production company" means any person in the film, digital
4 and video media, television, commercial, and theatrical stage
5 industry who provides pyrotechnic services or pyrotechnic
6 display services as part of a film, digital and video media,
7 television, commercial, or theatrical production in the State
8 of Illinois.

9 "Pyrotechnic display" or "display" means the detonation,
10 ignition, or deflagration of display fireworks or flame effects
11 to produce a visual or audible effect of an exhibitional nature
12 before the public, invitees, or licensees, regardless of
13 whether admission is charged.

14 "Pyrotechnic distributor" means any person, ~~company,~~
15 ~~association, group of persons, or corporation~~ who distributes
16 display fireworks for sale in the State of Illinois or provides
17 them as part of a pyrotechnic display service in the State of
18 Illinois or provides only pyrotechnic services.

19 "Pyrotechnic service" means the detonation, ignition, or
20 deflagration of display fireworks, special effects, or flame
21 effects to produce a visual or audible effect.

22 "Special effects fireworks" means pyrotechnic devices used
23 for special effects by professionals in the performing arts in
24 conjunction with theatrical, musical, or other productions
25 that are similar to consumer fireworks in chemical compositions
26 and construction, but are not intended for consumer use and are

1 not labeled as such or identified as "intended for indoor use".
2 "Special effects fireworks" are classified as fireworks UN0431
3 or UN0432 by the United States Department of Transportation
4 under 49 C.F.R. 172.101.

5 (Source: P.A. 94-385, eff. 7-29-05; 94-658, eff. 1-1-06;
6 95-331, eff. 8-21-07.)

7 (225 ILCS 227/10)

8 Sec. 10. License; enforcement. No person may act as a
9 pyrotechnic distributor, production company, or lead
10 pyrotechnic operator, or advertise or use any title implying
11 that the person is a pyrotechnic distributor, production
12 company, or lead pyrotechnic operator, unless licensed by the
13 Office under this Act. An out-of-state person hired for or
14 engaged in pyrotechnic services or a pyrotechnic display must
15 be employed by a licensed ~~have a~~ pyrotechnic distributor or
16 licensed production company and hold a lead pyrotechnic
17 operator license issued by the Office. No pyrotechnic services
18 or pyrotechnic display shall be conducted without a person
19 licensed under this Act as a lead pyrotechnic operator
20 supervising the display. The State Fire Marshal, in the name of
21 the People, through the Attorney General, the State's Attorney
22 of any county, any resident of the State, or any legal entity
23 within the State may apply for injunctive relief in any court
24 to enjoin any person who has not been issued a license or whose
25 license has been suspended, revoked, or not renewed, from

1 practicing a licensed activity. Upon filing a verified petition
2 in court, the court, if satisfied by affidavit, or otherwise,
3 that the person is or has been practicing in violation of this
4 Act, may enter a temporary restraining order or preliminary
5 injunction, without bond, enjoining the defendant from further
6 unlicensed activity. A copy of the verified complaint shall be
7 served upon the defendant and the proceedings are to be
8 conducted as in other civil cases. The court may enter a
9 judgment permanently enjoining a defendant from further
10 unlicensed activity if it is established that the defendant has
11 been or is practicing in violation of this Act. In case of
12 violation of any injunctive order or judgment entered under
13 this Section, the court may summarily try and punish the
14 offender for contempt of court. Injunctive proceedings are in
15 addition to all penalties and other remedies in this Act.

16 (Source: P.A. 93-263, eff. 7-22-03; 94-385, eff. 7-29-05.)

17 (225 ILCS 227/30)

18 Sec. 30. Rules. The State Fire Marshal shall adopt all
19 rules necessary to carry out its responsibilities under this
20 Act including rules requiring the training, examination, and
21 licensing of production company, pyrotechnic distributors and
22 lead pyrotechnic operators. The rules of the State Fire Marshal
23 shall be based upon nationally recognized standards such as
24 those of the National Fire Protection Association (NFPA) 1123
25 guidelines for outdoor displays, NFPA 1126 for proximate

1 audience displays, ~~and~~ NFPA 160 for flame effect displays, and
2 NFPA 140 for motion picture and television production studio
3 soundstages, approved production facilities, and production
4 locations. The State Fire Marshal shall conduct the training
5 and examination of pyrotechnic operators and pyrotechnic
6 distributors or may delegate the responsibility to train and
7 examine pyrotechnic distributors and operators to the
8 Department of Natural Resources.

9 (Source: P.A. 93-263, eff. 7-22-03; 94-385, eff. 7-29-05.)

10 (225 ILCS 227/35)

11 Sec. 35. Licensure requirements and fees.

12 (a) Each application for a license to practice under this
13 Act shall be in writing and signed by the applicant on forms
14 provided by the Office.

15 (b) After January 1, 2006, all pyrotechnic displays, both
16 indoor and outdoor, must comply with the requirements set forth
17 in this Act.

18 (c) After January 1, 2006, no person may engage in
19 pyrotechnic distribution without first applying for and
20 obtaining a license from the Office. Applicants for a license
21 must submit to the Office the following:

22 (1) A current BATFE license for the type of pyrotechnic
23 service or pyrotechnic display service provided ~~for~~
24 ~~distribution of display fireworks~~.

25 (2) Proof of \$1,000,000 in product liability

1 insurance.

2 (3) Proof of \$1,000,000 in general liability
3 insurance.

4 (4) Proof of Illinois Workers' ~~Worker's~~ Compensation
5 Insurance.

6 (5) A license fee set by the Office.

7 (6) Proof of a current United States Department of
8 Transportation (DOT) Identification Number.

9 (7) Proof of a current USDOT Hazardous Materials
10 Registration Number.

11 (8) Proof of having the requisite knowledge, either
12 through training, examination, or continuing education, as
13 established by Office rule.

14 (c-3) After January 1, 2010, no production company may
15 provide pyrotechnic services as part of any production without
16 either (i) obtaining a production company license from the
17 Office under which all pyrotechnic services are performed by a
18 licensed lead pyrotechnic operator or (ii) hiring a pyrotechnic
19 distributor licensed in accordance with this Act to perform the
20 pyrotechnic services. Applicants for a production company
21 license must submit to the Office the following:

22 (1) Proof of \$1,000,000 in products liability
23 insurance.

24 (2) Proof of \$1,000,000 in general liability
25 insurance.

26 (3) Proof of Illinois Workers' Compensation Insurance.

1 (4) A license fee set by the Office.

2 (5) Proof of a current USDOT Identification Number.

3 (6) Proof of a current USDOT Hazardous Materials
4 Registration Number.

5 (7) Identification of the licensed lead pyrotechnic
6 operator being employed by the production company.

7 The insurer shall not cancel the insured's coverage or
8 remove an additional insured from the policy coverage without
9 notifying the Office in writing at least 15 days before
10 cancellation.

11 (c-5) After January 1, 2006, no individual may act as a
12 lead operator in a pyrotechnic display without first applying
13 for and obtaining a lead pyrotechnic operator's license from
14 the Office. The Office shall establish separate licenses for
15 lead pyrotechnic operators for indoor and outdoor pyrotechnic
16 displays. Applicants for a license must:

17 (1) Pay the fees set by the Office.

18 (2) Have the requisite training or continuing
19 education as established in the Office's rules.

20 (3) (Blank).

21 (d) A person is qualified to receive a license under this
22 Act if the person meets all of the following minimum
23 requirements:

24 (1) Is at least 21 years of age.

25 (2) Has not willfully violated any provisions of this
26 Act.

1 (3) Has not made any material misstatement or knowingly
2 withheld information in connection with any original or
3 renewal application.

4 (4) Has not been declared incompetent by any competent
5 court by reasons of mental or physical defect or disease
6 unless a court has since declared the person competent.

7 (5) Does not have an addiction to or dependency on
8 alcohol or drugs that is likely to endanger the public at a
9 pyrotechnic display.

10 (6) Has not been convicted in any jurisdiction of any
11 felony within the prior 5 years.

12 (7) Is not a fugitive from justice.

13 (8) Has, or has applied for, a BATFE explosives
14 license or a Letter of Clearance from the BATFE.

15 (9) If a lead pyrotechnic operator is employed by a
16 political subdivision of the State or by a licensed
17 production company, he or she shall have a BATFE license
18 for the pyrotechnic services or pyrotechnic display
19 services provided.

20 (10) If a production company has not provided proof of
21 a current USDOT Identification Number and a current USDOT
22 Hazardous Materials Registration Number, as required by
23 paragraphs (5) and (6) of subsection (c-3) of this Section,
24 then the lead pyrotechnic operator which it employs shall
25 provide such proof to the Office.

26 (e) A person is qualified to assist a lead operator if the

1 person meets all of the following minimum requirements:

2 (1) Is at least 18 years of age.

3 (2) Has not willfully violated any provision of this
4 Act.

5 (3) Has not been declared incompetent by any competent
6 court by reasons of mental or physical defect or disease
7 unless a court has since declared the person competent.

8 (4) Does not have an addiction to or dependency on
9 alcohol or drugs that is likely to endanger the public at a
10 pyrotechnic display.

11 (5) Has not been convicted in any jurisdiction of any
12 felony within the prior 5 years.

13 (6) Is not a fugitive from justice.

14 (7) Is employed as an employee of the licensed
15 pyrotechnic distributor or the licensed production
16 company.

17 (8) Has been registered with the Office by the licensed
18 distributor or the licensed production company on a form
19 provided by the Office prior to the time when the assistant
20 begins work as an employee on the pyrotechnic display or
21 pyrotechnic service.

22 (Source: P.A. 93-263, eff. 7-22-03; 94-385, eff. 7-29-05.)

23 (225 ILCS 227/50)

24 Sec. 50. Issuance of license; renewal; fees nonrefundable.

25 (a) The Office, upon the applicant's satisfactory

1 completion of the requirements imposed under this Act and upon
2 receipt of the requisite fees, shall issue the appropriate
3 license showing the name, address, and photograph of the
4 licensee and the dates of issuance and expiration. The license
5 shall include the name of the pyrotechnic distributor or
6 production company employing the lead pyrotechnic operator. A
7 lead pyrotechnic operator is required to have a separate
8 license for each pyrotechnic distributor or production company
9 who employs the lead pyrotechnic operator.

10 (b) Each licensee may apply for renewal of his or her
11 license upon payment of the applicable fees. The expiration
12 date and renewal period for each license issued under this Act
13 shall be set by rule. Failure to renew within 60 days of the
14 expiration date results in lapse of the license. A lapsed
15 license may not be reinstated until a written application is
16 filed, the renewal fee is paid, and the reinstatement fee
17 established by the Office is paid. Renewal and reinstatement
18 fees shall be waived for persons who did not renew while on
19 active duty in the military and who file for renewal or
20 restoration within one year after discharge from the service. A
21 lapsed license may not be reinstated after 5 years have elapsed
22 except upon passing an examination to determine fitness to have
23 the license restored and by paying the required fees.

24 (c) All fees paid under this Act are nonrefundable.

25 (d) A production company licensed under this Act shall pay
26 all applicable licensing fees for each lead pyrotechnic

1 operator it employs.

2 (Source: P.A. 93-263, eff. 7-22-03; 94-385, eff. 7-29-05.)

3 (225 ILCS 227/57)

4 Sec. 57. Training; additional lead pyrotechnic operators.

5 No pyrotechnic distributor or production company shall allow
6 any person in the pyrotechnic distributor's or production
7 company's employ to act as a lead pyrotechnic operator until
8 the person has obtained a lead pyrotechnic operator's license
9 from the Office. Nothing in this Section shall prevent an
10 assistant from acting as a lead pyrotechnic operator under the
11 direct supervision of a licensed lead pyrotechnic operator for
12 training purposes.

13 (Source: P.A. 94-385, eff. 7-29-05.)

14 (225 ILCS 227/60)

15 Sec. 60. Conditions of renewal; change of address;
16 duplicate license; inspection.

17 (a) As a condition of renewal of a license, the Office may
18 require the licensee to report information pertaining to the
19 person's practice in relation to this Act that the Office
20 determines to be in the interest of public safety.

21 (b) A licensee shall report a change in home or office
22 address within 10 days of the change.

23 (c) The licensee shall carry his or her license at all
24 times when engaging in a pyrotechnic service or pyrotechnic

1 display activity.

2 (d) If a license or certificate is lost, a duplicate shall
3 be issued upon payment of the required fee to be established by
4 the Office. If a licensee wishes to change his or her name, the
5 Office shall issue a license in the new name upon satisfactory
6 proof that the change of name was done in accordance with law
7 and upon payment of the required fee.

8 (e) Each licensee shall permit his or her facilities to be
9 inspected by representatives of the Office for the purpose of
10 administering this Act.

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

12 (225 ILCS 227/90)

13 Sec. 90. Penalties. Any natural person who violates any of
14 the following provisions is guilty of a Class A misdemeanor for
15 the first offense and a corporation or other entity that
16 violates any of the following provision commits a business
17 offense punishable by a fine not to exceed \$5,000; a second or
18 subsequent offense in violation of any Section of this Act,
19 including this Section, is a Class 4 felony if committed by a
20 natural person, or a business offense punishable by a fine of
21 up to \$10,000 if committed by a corporation or other business
22 entity:

23 (1) Practicing or attempting to practice as a
24 pyrotechnic distributor or production company, or lead
25 pyrotechnic operator without a license;

1 (2) Obtaining or attempting to obtain a license,
2 practice or business, or any other thing of value by
3 fraudulent representation;

4 (3) Permitting, directing, or authorizing any person
5 in one's employ or under one's direction or supervision to
6 work or serve as a licensee if that individual does not
7 possess an appropriate valid license.

8 Whenever any person is punished as a repeat offender under
9 this Section, the Office may proceed to obtain a permanent
10 injunction against the person under Section 10. If any person
11 in making any oath or affidavit required by this Act swears
12 falsely, the person is guilty of perjury and upon conviction
13 may be punished accordingly.

14 (Source: P.A. 93-263, eff. 7-22-03; 94-385, eff. 7-29-05.)

15 (225 ILCS 227/95 new)

16 Sec. 95. Display Reports. A lead pyrotechnic operator
17 shall file an Illinois Display Report, which shall include the
18 names and signatures of all lead pyrotechnic operators and
19 assistants participating in the pyrotechnic display or
20 pyrotechnic service and the name, department, and signature of
21 the fire protection jurisdiction, with the Office within 30
22 days following any pyrotechnic display or pyrotechnic service.

23 (225 ILCS 227/97 new)

24 (Section scheduled to be repealed on July 1, 2011)

1 Sec. 97. Music Entertainment Pyrotechnics Task Force. The
2 Music Entertainment Pyrotechnics Task Force (Task Force) is
3 established for the purposes of studying the provision of
4 pyrotechnic displays and pyrotechnic services in the indoor and
5 outdoor music entertainment industry in the State of Illinois,
6 reviewing present recommendations solely related to who can
7 provide pyrotechnic displays and pyrotechnic services for the
8 music entertainment industry in the State of Illinois, and
9 recommending any changes that may be necessary to the
10 Pyrotechnic Distributor and Operator Licensing Act to the House
11 of Representatives. The Task Force shall consist of 5 members.
12 The Speaker of the House of Representatives and the Minority
13 Leader of the House of Representatives shall each appoint 2
14 members to the Task Force. The Office of the State Fire Marshal
15 shall appoint one member to the Task Force. The members shall
16 serve without compensation. The Task Force shall meet as
17 necessary. The Office of the State Fire Marshal shall provide
18 all staffing and administrative support for the administration
19 of the Task Force. The Task Force shall report its findings and
20 recommendations to the House of Representatives by filing
21 copies of its report with the Clerk of the House of
22 Representatives no later than January 1, 2011. Upon filing its
23 report, the Task Force is dissolved. This Section is repealed
24 on July 1, 2011.

25 Section 10. The Fireworks Use Act is amended by changing

1 Sections 0.01, 1, 2.1, and 4.1 as follows:

2 (425 ILCS 35/0.01) (from Ch. 127 1/2, par. 126.9)

3 Sec. 0.01. Short title. This Act may be cited as the
4 Pyrotechnic Fireworks Use Act.

5 (Source: P.A. 86-1324.)

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

7 Sec. 1. Definitions. As used in this Act, the following
8 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 consumer
15 fireworks in Illinois to another distributor or directly to any
16 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
24 pellets; smoke devices; trick noisemakers known as "party

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

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

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

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

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

24 "Flame effect" means the detonation, ignition, or
25 deflagration of flammable gases, liquids, or special materials
26 to produce a thermal, physical, visual, or audible effect

1 before the public, invitees, or licensees, regardless of
2 whether admission is charged, in accordance with National Fire
3 Protection Association 160 guidelines, and as may be further
4 defined in the Pyrotechnic Distributor and Operator Licensing
5 Act.

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

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

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

24 "Pyrotechnic display" means the detonation, ignition, or
25 deflagration of display fireworks or flame effects to produce
26 visual or audible effects of a exhibitional nature before the

1 public, invitees, or licensees, regardless of whether
2 admission is charged, and as may be further defined in the
3 Pyrotechnic Distributor and Operator Licensing Act.

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

10 "Pyrotechnic service" means the detonation, ignition or
11 deflagration of display fireworks, special effects or flame
12 effects to produce a visual or audible effect.

13 "Special effects fireworks" means pyrotechnic devices used
14 for special effects by professionals in the performing arts in
15 conjunction with theatrical, musical, or other productions
16 that are similar to consumer fireworks in chemical compositions
17 and construction, but are not intended for consumer use and are
18 not labeled as such or identified as "intended for indoor use".

19 "Special effects fireworks" are classified as fireworks UN0431
20 or UN0432 by the United States Department of Transportation
21 under 49 C.F.R. 172.101.

22 (Source: P.A. 94-658, eff. 1-1-06; 95-331, eff. 8-21-07.)

23 (425 ILCS 35/2.1)

24 Sec. 2.1. Pyrotechnic displays or pyrotechnic service.
25 Each pyrotechnic display shall be conducted by a licensed lead

1 pyrotechnic operator employed by a licensed pyrotechnic
2 distributor or a licensed production company. Applications for
3 a pyrotechnic display permit shall be made in writing at least
4 15 days in advance of the date of the pyrotechnic display or
5 pyrotechnic service, unless agreed to otherwise by the local
6 jurisdiction issuing the permit and the fire chief of the
7 jurisdiction in which the display or pyrotechnic service will
8 occur. After a permit has been granted, sales, possession, use,
9 and distribution of display fireworks for the display shall be
10 lawful for that purpose only. No permit granted hereunder shall
11 be transferable.

12 Pyrotechnic display permits may be granted hereunder to any
13 adult individual applying therefor. No permit shall be required
14 under the provisions of this Act for supervised public displays
15 by State or County fair associations.

16 The applicant seeking the pyrotechnic display permit must
17 provide proof of liability insurance in a sum not less than
18 \$1,000,000 to the local governmental entity issuing the permit.

19 A permit shall be issued only after the chief of the fire
20 department providing fire protection coverage to the area of
21 display or pyrotechnic service, or his or her designee, has
22 inspected the site and determined that the display or
23 pyrotechnic service can be performed in full compliance with
24 the rules adopted by the State Fire Marshal and that the
25 display or pyrotechnic service shall not be hazardous to
26 property or endanger any person or persons. Nothing in this

1 Section shall prohibit the issuer of a permit from adopting
2 more stringent rules.

3 All indoor pyrotechnic displays and pyrotechnic services
4 shall be conducted in buildings protected by automatic
5 sprinkler systems and meeting the requirements of rules adopted
6 by the State Fire Marshal pursuant to this Act. At the time an
7 individual applies for an indoor pyrotechnic display permit
8 from the local jurisdiction, written notice of the permit
9 application and the indoor display information shall be made in
10 writing at least 15 days in advance of the date of the
11 pyrotechnic display or pyrotechnic service to the Office,
12 unless agreed to otherwise by the Office.

13 Permits shall be signed by the chief of the fire department
14 providing fire protection to the area of display or pyrotechnic
15 service, or his or her designee, and must identify the licensed
16 pyrotechnic distributor or licensed production company and the
17 lead pyrotechnic operator.

18 (Source: P.A. 94-658, eff. 1-1-06.)

19 (425 ILCS 35/4.1) (from Ch. 127 1/2, par. 130.1)

20 Sec. 4.1. The State Fire Marshal may adopt necessary rules
21 and regulations for the administration of this Act which shall
22 be based upon nationally recognized standards such as those of
23 the National Fire Protection Association (NFPA) 1123
24 guidelines for outdoor displays, NFPA 1126 guidelines for
25 proximate audience displays, ~~and~~ NFPA 160 guidelines for flame

1 effects, and NFPA 140 for motion picture and television
2 production studio soundstages, approved production facilities,
3 and production locations. The State Fire Marshal is authorized
4 to adopt rules that establish audience proximity distances for
5 consumer display fireworks.

6 The Office of the State Fire Marshal shall maintain a list
7 of approved consumer fireworks and update the list annually or
8 as new consumer fireworks items are submitted to the Office by
9 consumer distributors.

10 All applications, permits, and site inspection records
11 shall be on forms approved by the State Fire Marshal.

12 (Source: P.A. 94-658, eff. 1-1-06.)".