



Texas Department of Insurance

State Fire Marshal's Office, Mail Code 112-FM
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FIREWORKS LICENSE & TEST INFORMATION

USE OF THIS INFORMATION

This bulletin is an abbreviation of the fireworks statute and rules and provides general information concerning the fireworks licenses. If there is any conflict between this document and the statute and rules, the statute and rules will take precedence.

FOR ASSISTANCE AND QUESTIONS

Texas State Fire Marshal's Office
P. O. Box 149221
Austin, TX 78714-9221
Fireworks Licensing Technician
512-676-6800, option 5

additional information and forms may be found on our web site at
<http://www.tdi.texas.gov/fire>

TYPES OF LICENSES

Manufacturer's License

A manufacturer's license is required for a person or firm manufacturing, storing, possessing, and selling fireworks constructed by that person or firm. A manufacturer may sell:

1. Fireworks 1.3G to a licensed distributor or pyrotechnic operator or to a fireworks public display permit holder for use in public fireworks displays in this state; or
2. Fireworks 1.4G to a licensed distributor or jobber.

Distributor's License

A distributor's license is required for a person or firm who imports into this state or stores, possesses, and sells:

1. Fireworks 1.3G to a licensed pyrotechnic operator or distributor or to a single public display, multiple public display, or agricultural, industrial, and wildlife control fireworks permit holder; or
2. Fireworks 1.4G to a licensed jobber, retailer, or distributor in this state.

Jobber's License

A jobber's license is required for a person or firm who stores, possesses, and sells fireworks 1.4G to a person holding a retail fireworks permit.

Pyrotechnic Operator's License

Prerequisite: Assisted in conducting 5 permitted public displays in the state of Texas, using Fireworks 1.3G, and provide written verification from the pyrotechnic operator licensed in Texas.

A person who assembles, conducts, and supervises public fireworks displays using Fireworks 1.3G is required to obtain a pyrotechnic operator's license. (This licensee must pass the Fireworks Pyrotechnic Operator TFM05 test.)

TYPES OF LICENSES (continued)

Pyrotechnic Special Effects Operator's License

A person who assembles, conducts, and supervises proximate displays using Fireworks 1.3G or Fireworks 1.4G as defined in NFPA 1126 "Standard for the Use of Pyrotechnics Before a Proximate Audience", is required to obtain a pyrotechnic special effects operator's license. This permit is not required for the use of Fireworks 1.4G by a retail consumer for private or personal amusement. (This licensee must pass the Fireworks Special Effects Operator TFM06 test.)

Flame Effects Operator's License

A person who assembles, conducts, and supervises flame effects as defined in NFPA 160 "Standard for Flame Effects Before an Audience", before an assembly of 50 people or more, is required to obtain a flame effects operator's license. This does not apply to traditional, nontheatrical public displays such as: use of lighted candles in restaurants or during religious services; fireplaces in areas open to the public, or restaurant cooking visible to the public. (This licensee must pass the Fireworks Flame Effects Operator TFM07 test.)

TYPES OF PERMITS

Public Display Permit

1. A single public display permit is required when igniting fireworks 1.3G for public or private amusement. This permit is valid for only one public fireworks display to be held during the hours and on the date or alternate date, if provided, stated on the permit and is not renewable.
2. A multiple public display permit may be issued when conducting multiple fireworks displays using fireworks 1.3G, at a single location. This permit is valid for one year from the date of issuance and is not renewable.

Agricultural, Industrial, and Wildlife Control Permit

A person using fireworks 1.3G for agricultural, industrial or wildlife control purposes must obtain this permit. This permit expires one year from the date of issuance and is not renewable.

Retail Fireworks Permit

A person selling fireworks 1.4G directly to the public must obtain a nonrenewable permit for each retail location. The fireworks may only be sold: from June 24 to midnight July 4; from December 20 to midnight January 1.

Restrictions for selling fireworks during these times (see Fireworks Statute & Rules): May 1 to midnight May 5, February 25 and ending at midnight on March 2; April 16 and ending at midnight on April 21; beginning the Wednesday before the last Monday in May and ending at midnight on the last Monday in May.

The permit is only valid for one year and expires on January 31 each year.

WORK PERMITTED BY TYPE OF LICENSE										REQUIRED TESTS			
Type of License	Companies				Pyrotechnic Type			Individual			Tests		
	Manufacturing	Storing	Importing	Selling	Fireworks 1.3G	Fireworks 1.4G	Flame Effects	Assembles Displays	Conducts Displays	Supervises Displays	Fireworks Pyrotechnic Operator TFM05	Fireworks Special Effects Operator TFM06	Fireworks Flame Effects Operator TFM07
Manufacturer	X	X		X	X	X							
Distributor		X	X	X	X	X							
Jobber		X ³		X ³		X							
Pyrotechnic Operator					X			X	X	X	X		
Special Effects Operator					X ¹	X ¹		X	X	X		X	
Flame Effects Operator							X	X	X	X			X

WORK PERMITTED BY TYPE OF PERMIT					
Types of Permits	Igniting For Public Display Purposes	Igniting NOT For Public Display Purposes	Selling Directly To The Public	Fireworks Type	
				Fireworks 1.3G	Fireworks 1.4G
Single Public Display	X			X ²	
Multiple Public Display	X			X ²	
Agricultural/Industrial/Wildlife		X		X	
Retail Fireworks			X		X

¹ Using Fireworks 1.3G or Fireworks 1.4G where audiences are closer to pyrotechnic devices than permitted by NFPA 1123 Code of Fireworks Display.

² Permits for flame effects or pyrotechnics 1.4G before an audience of 50 or more people must be obtained through the local authority having jurisdiction according to the Texas Occupations Code §2154.253 (b)(7).

³ For fireworks 1.4G devices only

SCHEDULING A TEST

State Fire Marshal's tests are administered through PSI. You may schedule your test online at anytime using their Internet Registration and Scheduling Service at www.psiexams.com. PSI does offer an option to check the availability of appointment times and locations before registering and providing payment.

TEST DESCRIPTION

All tests consist of questions that require true-false or multiple choice answers. Questions may refer to a drawing, chart, or figure included with the test.

The technical test questions are based on the adopted standards. There are no questions based on specific manufacturer's equipment other than generally referenced by an NFPA standard.

TEST SCORES

A score of 70% is necessary to pass the test. After completion of the test you will receive two score reports. One of these reports must be submitted with your license application.

A brief synopsis of the results is included in your score report.

TEST RESTRICTION

An applicant may only schedule each type of test once a week and no more than three times within a twelve-month period.

TEST REFERENCES

Fireworks Pyrotechnic Operator TFM05 Test³

Questions on this test are based on

1. the sections of the Texas Occupations Code, Chapter 2154 & Fireworks Rules, Title 28, Chapter 34.800² of the Texas Administrative Code that pertain to a pyrotechnic operator; and
2. information contained in the National Fire Protection Association, NFPA 1123¹, "Code for Fireworks Display", 1995 Edition.

TEST REFERENCES (continued)

Fireworks Special Effects Operator TFM06 Test³

Questions on this test are based on

1. the sections of the Texas Occupations Code, Chapter 2154 & Fireworks Rules, Title 28, Chapter 34.800² of the Texas Administrative Code that pertain to a special effects operator;
2. information contained in the National Fire Protection Association, NFPA 1126¹, "Standard for the Use of Pyrotechnics Before a Proximate Audience", 1996 Edition; and
3. general pyrotechnic knowledge and basic principles of electronic circuitry.

Fireworks Flame Effects Operator TFM07 Test³

Questions on this test are based on

1. the sections of the Texas Occupations Code, Chapter 2154 & Fireworks Rules, Title 28, Chapter 34.800² of the Texas Administrative Code that pertain to a flame effects operator;
2. information contained in the National Fire Protection Association, NFPA 160¹, "Standard for Flame Effects Before an Audience"; and
3. practical knowledge of flammable liquids and gasses used in flame effects.

FOOTNOTES

¹These publications can be purchased through the National Fire Protection Association, P. O. Box 9101, Quincy, MA 02269-9101, Tel 1-800-344-3555 or by visiting www.NFPA.org.

²The Texas Occupations Code, Chapter 2154 and the Fireworks Rules (Title 28, Chapter 34.800 of the Texas Administrative Code) may be downloaded from our web site at: <http://www.tdi.texas.gov/fire/fmlifirework.html>, then click on "Statute and Rules".

³These tests are administered through PSI.

OBTAINING AN OPERATOR LICENSE

The following must be submitted to apply for a license:

- Pyrotechnic, Special Effects and Flame Effects Operator's License application
- Score reports showing successful completion of exam requirements
- License fee

OBTAINING A LICENSE

The following must be submitted to apply for a License or Display Permit:

- Fireworks License application
- Additional documents (if applicable):
 - corporate charter, etc.
 - assumed name certificate
 - franchise tax account status must be *ACTIVE*
- License fee

OBTAINING DISPLAY PERMIT

The following must be submitted to apply for a Single or Multiple Display Permit:

- Fireworks Single or Multiple Display application
- Certificate of Insurance for bodily injury and property damage
- Additional documents (if applicable):
 - corporate charter, etc.
 - assumed name certificate
 - franchise tax account status must be *ACTIVE*
- Permit fee
- Site plan

LICENSE FEES

<i>Type of License</i>	<i>Initial</i>	<i>(1 year) Renewal</i>
Pyrotechnic Operator	\$ 45	\$ 25
Special Effects Operator	\$ 45	\$ 25
Flame Effects Operator	\$ 45	\$ 25
Manufacturer	(\$ 1000 + \$ 250*)	(\$ 1000 + \$ 250*)
Distributor	(\$ 1500 + \$ 250*)	(\$ 1500 + \$ 250*)
Jobber	(\$ 1000 + \$ 250*)	(\$ 1000 + \$ 250*)
Duplicate License	\$ 20 (e.g. replace lost license)	
Revised License	\$ 20 (e.g. change of address)	

* The holder of these licenses shall pay an additional fee of \$250 for the Fireworks Safety and Education Program, as required by the 76th Legislature.

Late fees are assessed as required by the statute and rules.

Except for overpayments resulting from mistakes of law or fact, all fees are non-refundable.

PERMIT FEES

Retail Fireworks	(\$ 20 + \$ 10*)
Single Public Display	\$ 50
Multiple Public Display	\$ 400
Agricultural/Industrial/Wildlife	\$ 10

* The holder of the these permits shall pay an additional fee of \$10 for the Fireworks Safety and Education Program, as required by the 76th Legislature.

Except for overpayments resulting from mistakes of law or fact, all fees are non-refundable.