



## Fire Marshal's Notice

July 2016

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### State Fire Marshal Announces Amendments to the Texas Fireworks Rules

The following is a synopsis of some of the substantive changes to the Fireworks Rules. The Commissioner of Insurance, through the State Fire Marshal, has amended the Fireworks Rules in order to resolve inconsistencies within the rules, update obsolete statutory references, and clarify the intent of the rules to better reflect statutory purpose. The new rules took effect June 23, 2016 - Commissioner's Order No. 4542.

#### **28 TAC §§ 34.800 the Fireworks Rules (effective 6/23/2016)**

- **§34.808. Definitions.**

Added a definition of "immediate family member" as a family member that specifically includes the spouse, child, sibling, parent, grandparent, grandchild, stepparent, stepchild, and stepsibling; and a relationship established by adoption

Amends the definition of "retail fireworks site" to include other structures, vehicles, or surrounding area subject to care and control of the retailer, owner, supervisor, or operator of the retail location.

- **§34.818.(4) Specific Requirements for Retail Fireworks Stands.** Prohibits fireworks from being displayed on the customer counter or in any manner that allows the customer to handle fireworks without the assistance of an employee.
- **§34.823.(H) Bulk Storage of Fireworks 1.4G.** Establishes a requirement for a fire sprinkler system if a fireworks storage facility's floor space exceeds 12,000 square feet, and it allows for additional or more restrictive fire protection that may be adopted by a political subdivision.
- **§34.832.(8) Specific Requirements for Retail Fireworks Sites Other Than Stands.** Modifies the requirement for business owners to provide written notification annually to the local fire department and county fire marshal about the location of a building that sells or stores fireworks
- **§34.832(11) Specific Requirements for Retail Fireworks Sites Other Than Stands.** Specifies that extension cords may not be plugged in to a power strip.
- **§34.833 Military Service Members, Military Veterans, or Military Spouses.** New section puts all military-related waivers and exemptions in one section so that affected persons are on notice that the provisions may apply to them.

[FireMarshal@tdi.texas.gov](mailto:FireMarshal@tdi.texas.gov) (e-mail)    <http://www.tdi.texas.gov/fire/fmli.html> (Web site)