
**Agriculture & Natural Resources
Committee**

HB 2310

Brief Description: Concerning fire prevention in 2016.

Sponsors: Representatives Van De Wege, Dunshee, Pettigrew and Kirby.

Brief Summary of Bill

- Prohibits the sale, purchase, use, or discharge of consumer fireworks within the state from June 1, 2016, through September 30, 2016.
- Prohibits burning outdoors without a permit in any area of the state from July 1, 2016, through September 30, 2016.

Hearing Date: 1/14/16

Staff: Rebecca Lewis (786-7339).

Background:

Consumer Fireworks.

The State Fireworks Law (Fireworks Law) establishes that fireworks purchased and used in compliance with its provisions are legal. "Fireworks" are any composition or device designed to produce a visible or audible effect by combustion, deflagration, or detonation. "Consumer fireworks" are small firework devices designed to produce visible effects by combustion that comply with federal regulations of the U.S. Consumer Product Safety Commission.

A state license must be obtained from the Chief of the Washington State Patrol, or a permit from the applicable county or city, to manufacture or sell fireworks, transport fireworks, or make a public display of fireworks. No license or permit is required to possess or use consumer fireworks that are lawfully purchased at retail.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Consumer fireworks may be sold and purchased during specified times from June 29 through July 5, and December 27 through December 31. Consumer fireworks may be used or discharged during specified times from June 29 through July 5, and from December 31 through January 1. Counties and cities may enact laws or ordinances that are more restrictive than the Fireworks Law. Any such laws or regulations take effect at least one year after their adoption.

Outdoor Burning.

The Washington Clean Air Act (Act) authorizes the Department of Ecology and local air pollution control authorities to regulate air quality in the state. Under the Act, outdoor burning means the combustion of material of any type in an open fire or in an outdoor container for the control of combustion or the control of emissions from the combustion. Outdoor burning can be prohibited during a forecast, alert, warning, or emergency condition, or during a period of impaired air quality. Fires containing materials that emit dense smoke or obnoxious odors are not allowed.

Various entities have authority to permit outdoor burning within their respective jurisdictions. These entities include: the state Departments of Ecology and Natural Resources; cities, towns, and counties; local air pollution control authorities; and special purpose districts such as fire protection districts.

Summary of Bill:

Consumer Fireworks.

Consumer fireworks may not be sold, purchased, used, or discharged in the state from June 1, 2016, through September 30, 2016. The authorities responsible for enforcement must ensure compliance within their jurisdiction.

Outdoor Burning.

Outdoor burning without a permit is prohibited from July 1, 2016, through September 30, 2016. "Outdoor burning" means all forms of burning outdoors including, but not limited to agricultural, recreational, residential, and silvicultural burning. Entities normally responsible for permitting outdoor burning may not do so unless the burning is necessary to protect life or property, or necessary for the public health, safety, or welfare.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.