



MEMORANDUM



TO: Fireworks Companies Licensed In Arkansas

FROM: Major Michael Moyer 

RE: License

DATE: March 8, 2023

The licensing period for fireworks companies is rapidly approaching. Please review this memorandum with regard to various licensing issues. I have included again this year a document prepared by the Arkansas Department of Labor, Board of Electrical Examiners outlining electrical requirements with respect to retail fireworks stands. I am asking that this information be disseminated to those individuals or groups purchasing Retail Fireworks Licenses. Questions regarding the electrical regulations can be directed to Arkansas Department of Labor and Licensing at 501-682-4548. I have also included information regarding the "All Year Retail Sales License". Please contact Leena Reppucci with any problems encountered during the licensing process at 501-618-8624.

RETAIL FIREWORKS LICENSE

The Retail Firework License must be completed in full. **The physical address of the stand is required.** We are still seeing incomplete addresses. Please use the "911" address for the retail location.

ACA 20-22-707 (2) states, "The vendor shall record the sales of licenses to retailers (name of the individual purchasing the permit) and submit its records to the director semiannually on January 31 and July 31 of each year. Each semiannual report shall cover the preceding six-month period". Please record Retail License sales on the form provided with the memorandum. The form must be completed and submitted to the State Fire Marshal's Office on January 31 and July 31 of each year. While you will not be required to return the actual Retail License books, you should maintain them for your records.

RETAIL ALL YEAR SALE OF FIREWORKS

ACA 20-22-711 was amended during the 2017 Arkansas Legislative Session to allow permissible items of fireworks as defined in ACA 20-22-708 to be sold at retail all year if sold in a permanent physical location. The retail sales of fireworks is further regulated by the 2021 Arkansas Fire Prevention Code and NFPA (National Fire Protection Association) 1124. NFPA 1124, 2006 and 2017 Edition, Section 3.3.41, defines "permanent". Section 3.3.41 states, "As applied to buildings or structures: a building or structure affixed to a foundation on a site and having fixed utility connections, that is intended to remain on the site for more than 180 consecutive calendar days." NFPA 1124, 2006 Edition, Section 7.1.1.1 addresses new facilities. New facilities are those permanent consumer fireworks retail sales facilities and stores occupied after the effective date (August 1, 2017) of the law or those constructed prior to the law but not used seasonally or year round within one year of the effective date of the law. New facilities must meet current code requirements. Existing facilities must meet the code requirements in place at the time they initially opened. In addition to the physical requirements set out in NFPA 1124, Section 3.3.41, the facility must have been used for the seasonal sale of fireworks within the past year.

The fee for an all year retail sales license is \$500.00
(see application ASP 106)

PLEASE REMEMBER THAT THERE ARE NO REFUNDS FOR UNSOLD RETAIL PERMITS. WHEN ORDERING, ESTIMATE THE NUMBER OF RETAIL BOOKS YOU NEED CAREFULLY. WE WILL SELL LESS THAN A FULL BOOK IF YOU NEED TO REORDER.

PUBLIC DISPLAY

Arkansas code 20-22-702 (2) requires public display applications to be received in the State Fire Marshal's Office at least five (5) days prior to the event. Earlier submission of applications will be greatly appreciated. Early submission is very important due to our mail handling procedures. The mail for all Divisions of the Arkansas State Police which collect fees must first go to our Fiscal Section. While this provides improved financial controls, it does add to the processing time. Applications will not be considered submitted unless they are complete.

In order to be considered complete the application must be filled out correctly, include **proof of insurance, a diagram of the site, and a check for the proper amount.** Please remember to include the Arkansas License Number for the approved Pyrotechnic Shooter listed on the Application for Fireworks Display form.

DO NOT SUBMIT INCOMPLETE APPLICATIONS. THE STATE FIRE MARSHAL'S OFFICE CANNOT PROCESS AN APPLICATION WITHOUT PAYMENT.

ONCE APPROVED, PUBLIC DISPLAY PERMITS WILL BE EITHER MAILED OR EMAILED (PROVIDING YOU SUBMIT A FIRM EMAIL ADDRESS) TO THE FIRM FROM WHOM THE FIREWORKS ARE BEING PURCHASED