

**DEPARTMENT OF PUBLIC SAFETY**

**Division of Fire Prevention and Control**

**8 CCR 1507- 12**

**PERSONS DEALING WITH FIREWORKS**

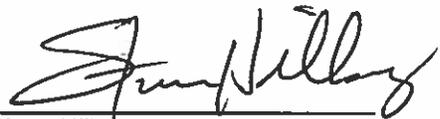
**STATEMENT OF BASIS, STATUTORY AUTHORITY, AND PURPOSE**

Pursuant to Section 24-33.5-2004, C.R.S., the Executive Director of the Colorado Department of Public Safety shall promulgate rules and regulations concerning the sale, transportation, storage, and use of fireworks. This rule is proposed pursuant to this authority and is intended to be consistent with the requirements of the State Administrative Procedure Act, Section 24-4-101, et seq., C.R.S.

The purpose of this rule change is twofold. First, the rule change is intended to address a deficiency identified in Section 2.4 of 8 CCR 1507-12. Section 2.4 incorporates by reference the codes and standards utilized for the manufacture, transportation, storage, and retail sales of fireworks and pyrotechnic articles. A change to the rule is required in order to ensure that Section 2.4 fully complies with the statutory requirements for incorporating by reference, codified at C.R.S. 24-4-103 (12.5). Specifically, this rule change adds two pieces of information: first, that copies of the codes and standards are available from the Division of Fire Prevention and Control at a reasonable charge, and secondly, where copies are available from the entities originally issuing the codes and standards.

Secondly, this rule change intends to update the statutory citations throughout the rule. As part of a statutory reorganization enacted in 2017, the statutory provisions regarding fireworks codified under Title 12 of the Colorado Revised Statutes were moved over and codified under Title 24 at C.R.S. 24-33.5-2001, et seq. This rule change replaces all the old statutory references to the new correct citations under Title 24, Part 20.

It was declared by the General Assembly that the establishment of minimum requirements and standards for licenses to sell, store, or use fireworks pursuant to Section 12-28-101, et seq., C.R.S. is necessary for the immediate preservation of the public peace, health and safety of Colorado citizens. The absence of accurate implementing rules to carry out the purpose of the statute would be contrary to this declaration. For these reasons, it is imperatively necessary that the proposed rules be adopted.



Stan Hilkey  
Executive Director  
Colorado Department of Public Safety

4/26/18  
Date of Adoption