

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 4.9 of this rule. Section 4.9 will now incorporate by reference the procedure for suspension, denial, or revocation of a license from the State Administrative Procedures Act. A change to the rule is required in order to ensure that Section 4.9 fully complies with the statutory requirements for the procedures for the suspension, denial, or revocation of a license, codified at C.R.S. 24-4-104 (6). Specifically, this rule change removes the language used previously and replaces it with a general reference to the State Administrative Procedure Act.

Second, this rule change intends to remove direct references to adopted Codes and Standards under Section 2.4 and replace it with a reference to 8 CCR 1507-101 (BUILDING AND FIRE CODE ADOPTION AND CERTIFICATION OF INSPECTORS FOR FIRE & LIFE SAFETY PROGRAMS ADMINISTERED BY THE STATE OF COLORADO), which is a consolidation of all Codes and Standards referenced in the rules promulgated for the programs administered by the Department of Public Safety, Division of Fire Prevention & Control.

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

2/8/2019

Date of Adoption