

Legislative Analysis



FIREWORKS SAFETY ACT TO SUPERSEDE CONSTRUCTION CODE WHEN IN CONFLICT

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Senate Bill 255 (as reported without amendment)

(Enacted as Public Act 9 of 2014)

Sponsor: Sen. Rick Jones

House Committee: Regulatory Reform

Senate Committee: Regulatory Reform

Complete to 11-14-13

A SUMMARY OF SENATE BILL 255 AS REPORTED FROM COMMITTEE 11-5-13

The bill would amend the Single State Construction Code Act (MCL 125.1528) to specify that any provision of the Construction Code Act that is inconsistent with or in conflict with the Michigan Fireworks Safety Act related to the retail sale of consumer and low-impact fireworks would be superseded by the Fireworks Safety Act to the extent of the inconsistency or conflict.

FISCAL IMPACT:

The bill would not have a significant fiscal impact on the state or local units of government.

BACKGROUND INFORMATION AND DISCUSSION:

The Michigan Fireworks Safety Act was enacted to regulate the purchase, possession, sale, and use of consumer fireworks. Many of the act's enforcement and administration provisions have been delegated to the Bureau of Fire Services and the office of the State Fire Marshal.

As enacted, permanent buildings must be equipped with certain fire suppression systems that comply with National Fire Protection Association (NFPA) Standard 1124. However, portions of the Michigan Building Code are in conflict with NFPA 1124. The State Fire Marshal and the Bureau of Construction Codes have issued guidelines specifying that NFPA 1124 would apply to consumer fireworks retail sales facilities while the state's building, mechanical, electrical, and plumbing codes would apply in situations that do not conflict with the Fireworks Safety Act. Senate Bill 255 would codify the administrative guideline.

POSITIONS:

The Michigan Department of Licensing and Regulatory Affairs supports the bill. (11-5-13)

Big Fireworks supports the bill. (11-5-13)

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