

SENATE BILL No. 563

October 14, 2015, Introduced by Senators ZORN, HORN, HANSEN and BIEDA and referred to the Committee on Regulatory Reform.

A bill to amend 2011 PA 256, entitled
"Michigan fireworks safety act,"
by amending section 12 (MCL 28.462), as amended by 2013 PA 65.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 12. (1) A person shall not ignite, discharge, or use
2 consumer fireworks on public property, school property, church
3 property, or the property of another person without that
4 organization's or person's express permission to use those
5 fireworks on those premises. Except as otherwise provided in this
6 section, a person that violates this subsection is responsible for
7 a state civil infraction and may be ordered to pay a civil fine of
8 not more than \$500.00.

9 (2) ~~Consumer~~ **A PERSON SHALL NOT SELL CONSUMER** fireworks ~~shall~~
10 ~~not be sold~~ to a minor. A person that violates this subsection
11 shall be ordered to pay a civil fine of not more than \$500.00, or,
12 for a second or subsequent violation of this subsection, a civil

1 fine of not more than \$1,000.00. In addition, the person's consumer
2 fireworks certificate shall be suspended for 90 days after the
3 civil fine is ordered for a second or subsequent violation. ~~This~~

4 ~~age requirement shall be verified~~ **THE SELLER SHALL VERIFY THE AGE**
5 **OF A PURCHASER** by any of the following:

6 (a) An operator's or chauffeur's license issued under the
7 Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

8 (b) An official state personal identification card issued
9 under 1972 PA 222, MCL 28.291 to 28.300.

10 (c) An enhanced driver license or enhanced official state
11 personal identification card issued under the enhanced driver
12 license and enhanced official state personal identification card
13 act, 2008 PA 23, MCL 28.301 to 28.308.

14 (d) A military identification card.

15 (e) A passport.

16 (f) Any other bona fide ~~photograph~~ **PHOTOGRAPHIC** identification
17 that establishes the identity and age of the individual.

18 (3) An individual shall not discharge, ignite, or use consumer
19 fireworks or low-impact fireworks while under the influence of
20 alcoholic liquor, a controlled substance, or a combination of
21 alcoholic liquor and a controlled substance. As used in this
22 subsection:

23 (a) "Alcoholic liquor" means that term as defined in section
24 1d of the Michigan vehicle code, 1949 PA 300, MCL 257.1d.

25 (b) "Controlled substance" means that term as defined in
26 section 8b of the Michigan vehicle code, 1949 PA 300, MCL 257.8b.

27 (4) An individual who violates the smoking prohibition under

1 NFPA 1124, 7.3.11.1 is guilty of a misdemeanor punishable by
2 imprisonment for not more than 1 year or a fine of not more than
3 \$1,000.00, or both.

4 (5) Signage stating the smoking prohibition described in
5 subsection (4) satisfies the requirements of NFPA 1124.

6 (6) A PERSON SHALL NOT SELL AT RETAIL, POSSESS, OR IGNITE A
7 SKY LANTERN OR RELEASE AN IGNITED SKY LANTERN.

8 Enacting section 1. This amendatory act takes effect 90 days
9 after the date it is enacted into law.

10 Enacting section 2. This amendatory act does not take effect
11 unless Senate Bill No. 562

12 of the 98th Legislature is enacted into law.