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DELAWARE STATE SENATE
150th GENERAL ASSEMBLY

SENATE BILL NO. 53

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO EXCEPTIONS TO SELLING OR POSSESSING FIREWORKS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 6901, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 6901. Selling or possessing fireworks; exceptions [Effective until May 10, 2021]

(d) The sale of wood stick or wire sparklers which produce a shower of sparks upon ignition and which consist of wire or stick coated with not more than 100 grams of pyrotechnic mixture per item; other hand-held or ground-based sparkling devices which are nonexplosive and nonaerial, which sometimes produce a crackling or whistling effect, and which contain 75 grams or less of pyrotechnic mixture per tube or a total of 500 grams or less for multiple tubes; snakes, glow worms, and smoke devices which contain 20 grams or less of pyrotechnic mixture; or trick noisemakers, which include party poppers, snappers, and drop pops, each containing 16 milligrams or less of pyrotechnic mixture excepted under subsection (c) of this section is limited to persons 18 years of age and older during a 30-day period prior to and including the days of allowed use of these items, and the use of these items shall be limited to July 4, the third day of Diwali, December 31, and January 1 of each year. The regulation of items listed in this paragraph including the storage and sale shall be consistent with the standards set forth in NFPA1124 National Fire protection Association Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2006 edition.

SYNOPSIS

Diwali is a 5-day festival of lights, celebrated by millions of Hindus, Sikhs, and Jains across the world. The dates for Diwali change each year, but it usually falls in October or November. Fireworks are an essential component of Diwali and the third day of Diwali is the height of the festival.

In recognition of the many Indo-Americans living in Delaware, this Act permits the sale and possession of sparklers and ground-based sparkling devices during a 30-day period before and including the third day of Diwali and the use of these items on the third day of Diwali.

Author: Senator Delcollo