



# Information Bulletin

## Sparkling Devices Information

A recent change in New York State Penal Law now allows for the sale and use of a specific category of consumer fireworks known as *Sparkling Devices*.

*Sparkling Devices* are ground based or handheld devices that produce a shower of colored sparks and or a colored flame, audible crackling or whistling noise and smoke. The law limits the type, size and construction of *Sparkling Devices* and requires that these devices must be hand held or mounted on a base or spike and be limited in sizes that range from 1 to 500 grams of pyrotechnic composition.

Sale and use of *Sparkling Devices* will be legal only in counties and cities that have enacted a local law pursuant to section 405.00 of the Penal Law of NY.

See the applicable sections of the Penal Law here:

Section 270.00 [[www.dhSES.ny.gov/ofpc/laws/documents/270.pdf](http://www.dhSES.ny.gov/ofpc/laws/documents/270.pdf)]

Section 405.00 [[www.dhSES.ny.gov/ofpc/laws/documents/405.pdf](http://www.dhSES.ny.gov/ofpc/laws/documents/405.pdf)]

Sellers, manufacturers and distributors of *Sparkling Devices* are required to apply for a license from the Office of Fire Prevention and Control and pay an annual fee and be subject to other rules and conditions. Details available at [www.dhSES.ny.gov/ofpc/news/sparklingdevices.cfm](http://www.dhSES.ny.gov/ofpc/news/sparklingdevices.cfm)

### Important Notes:

*Sales of Sparkling Devices by certified permanent and specialty retailers can only occur from June 1 to July 5 and December 26 to January 1.*

*Sales of Sparkling Devices by certified temporary stands or tents can only occur from June 20 to July 5 and December 26 to January 1.*

*All other types of consumer fireworks, including firecrackers, bottle rockets, roman candles, spinners and aerial devices, remain illegal statewide.*

*Additionally, all consumer fireworks, including Sparkling Devices, remain fully prohibited in the City of New York.*