

# Pyrotechnics Licensing

In 2009, New York State made major changes to laws that control fireworks and pyrotechnics. These changes expanded the role of local agencies for displays of fireworks at private events such as weddings and parties. The law now requires local agencies to issue permits that address safety issues to better protect people and property.

## Safety Protections

The law covers a number of safety and public protection measures. They include:

- The pyrotechnic operator in charge of the display must be certified by the state. (See *Penal Law section 405.00(2), General Business Law Article 28-D, and 12 NYCRR Part 61*)
- New regulations adopted modern safety standards. (See *Penal Law section 405.00(3) and 12 NYCRR Part 61 (2010 edition), adopting NFPA 1123 Code for Fireworks Display.*)
- The minimum bond or insurance amount increased from \$5,000 to \$1,000,000. (See *Penal Law section 405.00(4).*)

## Permits for displays of fireworks at private events

Penal Law section 405.00 regulates fireworks display permits. It expands the authority of local governments to issue permits for uses beyond “public displays.” It allows people to get permits for fireworks displays at private events.

## Sparkling Devices

Since 2015, local municipalities have the option of excluding “sparkling devices” from these requirements.

Sparkling devices are:

- Ground based,
- spiked, or
- handheld devices that produce:
  - showers of sparks
  - colored flame
  - audible crackling
  - whistling
  - smoke

These devices do not rise into the air, explode, or produce a report. See NYS Penal Law Section 270 for further information.

## State Certification

The Commissioner of Labor administers and enforces the new state certification requirements. The regulatory process places a single, state-certified pyrotechnician in charge of each display as the designated “operator.” The State Labor Department licenses these operators.

For more information, contact the State Department of Labor’s Licensing and Certification Unit at (518) 457-2735 or e-mail [industry.dosh@labor.ny.gov](mailto:industry.dosh@labor.ny.gov)