

# DEPARTMENT OF FINANCIAL SERVICES Division of State Fire Marshal

# Sparkler Registration LICENSE/PERMIT INFORMATION PACKET

BUREAU OF FIRE PREVENTION REGULATORY LICENSING SECTION 200 East Gaines Street Tallahassee, Florida 32399-0342 Telephone: 850/413-3171

Fax: 850/410-2467

Fire.Prevention@myfloridacfo.com

## **Chapter 791, Florida Statutes**

#### **Definitions**

"Manufacturer" means any person engaged in the manufacture or construction of sparklers in this state.

"Retailer" means any person who, at a fixed place of business, is engaged in selling sparklers to consumers at retail.

"Seasonal retailer" means any person engaged in the business of selling sparklers at retail in this state from June 20 through July 5 and from December 10 through January 2 of each year.

"Distributor" means any person engaged in the business of selling sparklers to a wholesaler.

"Sparkler" means a device which emits showers of sparks upon burning, does not contain any explosive compounds, does not detonate or explode, is hand held or ground based, cannot propel itself through the air, and contains not more than 100 grams of the chemical compound which produces sparks upon burning. Any sparkler that is not approved by the division is classified as fireworks.

"Wholesaler" means any person engaged in the business of selling sparklers to a retailer.

#### Section 791.013, Florida Statutes

#### **Testing and Approval of Sparklers**

A person who wishes to sell sparklers must submit samples of his or her product to the division for testing to determine whether it is a sparkler as defined in Section 791.01, Florida Statutes, which states:

"Sparkler" means a device which emits showers of sparks upon burning, does not contain any explosive compounds, does not detonate or explode, is hand held or ground based, cannot propel itself through the air, and contains not more than 100 grams of the chemical compound which produces sparks upon burning. Any sparkler that is not approved by the division is classified as fireworks.

The testing and approval requirements are found in Section 791.013, Florida Statutes and Florida Administrative Code 69A-50 which is contained herein.

The Division of State Fire Marshal receives and tests products each year and publishes a list of approved products. The approved list is effective February 1 of each year and expires each January 31<sup>st</sup>.

The approved list is available from the Division or you view or print a list from the division's website at www.fldfs.com/sfm.

## **Section 791.015**

# Registration of Manufacturers, Distributors, Wholesalers and Retailers of Sparklers

#### **REGISTRATION REQUIREMENTS:**

Any manufacturer, distributor, wholesaler, retailer, or seasonal retailer of sparklers who wishes to do business in this state or to otherwise sell, ship, or assign for sale its products in this state must register annually with the division on forms prescribed by the division.

#### **REGISTRATION FORMS MAY BE OBTAINED AS FOLLOWS:**

Regulatory Licensing Section 200 East Gaines Street Tallahassee, FL 32399-0342 850/413-3171 Casia.Sinco@myfloridacfo.com fire.prevention@myfloridacfo.com

# Registration Fees

Type: 07 60	Manufacturer of Sparklers:	\$1,000
Type: 07 61	Distributor of Sparklers:	\$1,000
Type: 07 62	Wholesaler of Sparklers:	\$1,000
Type: 07 64	Retailer of Sparklers	\$15
Type: 07 63	Seasonal Retailer of Sparklers	\$200

The registration form filed with the division must be completed in detail, providing all requested information. The form must be notarized and must include the following information: business name; address; telephone number; officers, if the business is a corporation; and an individual designated as a contact person. Any incomplete form will be returned to the submitter.

## <u>Duplicates</u>

Each certificateholder wishing to have a duplicate certificate issued for one, which is lost, shall request such duplicate by notifying the division in writing and shall pay a fee of \$5.

### **Change of Address**

Each certificateholder wishing to have a duplicate certificate issued for one in which the business address or mailing address has changed shall notify the division in writing and shall pay a fee of \$5.

**NOTE:** A certificateholder may not change the address of the location at which sparklers will be sold once a certificate has been processed by the division. This type change in location requires a new application and a new application fee for any type registration.

#### **EXPIRATION AND RENEWAL**

All certificates of registration are issued annually by the division and expire at midnight each January 31<sup>st</sup>.

All certificate holders are notified by invoice of the renewal requirements each year prior to the January 31<sup>st</sup> expiration date of certificates.

### Section 791.02, Florida Statutes

### Sale of Fireworks Regulated

It is unlawful for any person, firm, copartnership, or corporation to offer for sale, expose for sale, sell at retail, or use or explode any fireworks; provided that the board of county commissioners shall have power to adopt reasonable rules and regulations for the granting of permits for supervised public display of fireworks by fair associations, amusement parks, and other organizations or groups of individuals when such public display is to take place outside of any municipality; provided, further, that the governing body of any municipality shall have power to adopt reasonable rules and regulations for the granting of permits for supervised public display of fireworks within the boundaries of any municipality. Displays must comply with the provisions of Section 791.012, Florida Statutes, minimum fireworks safety standards.

A sparkler or other product authorized for sale under this chapter may not be sold by a retailer or seasonal retailer unless the product was obtained from a manufacturer, distributor, or wholesaler registered with the division pursuant to Section 791.015, Florida Statutes.

Each retailer and seasonal retailer shall keep, at every location where sparklers are sold, a copy of an invoice or other evidence of purchase from the manufacturer, distributor, or wholesaler, which states the registration certificate number for the particular manufacturer, distributor, or wholesaler and the specific items covered by the invoice. Each seasonal retailer shall, in addition, exhibit a copy of his or her registration certificate at each seasonal retail location.



# CERTIFICATE OF SPARKLER REGISTRATION BUREAU OF FIRE PREVENTION REGULATORY LICENSING SECTION

MAIL TO: .

1.

Business Name;

DFS-K3-1234 REV 06/02

Revenue Processing Section

Post Office Box 6100

Tallahassee, FL 32314-6100

In compliance with the provisions of Chapter 791, Florida Statutes, application is hereby made for a Certificate of Registration for the type and class listed below:

Туре	Class	F/T		Fee
07	60	L	Manufacturer of Sparklers	\$1,000
07	61	Ĺ	Distributor of Sparklers	\$1,000
07	62	L	Wholesaler of Sparklers	\$1,000

\*\*\* Make check payable to the State Fire Marshal\*\*\*

A separate form DFS-K3-1234 and fee as prescribed above must be filed for each location at which each manufacturer, distributor, or wholesaler of sparkler does business in the state of Florida.

ALL INFORMATION REQUESTED IS REQUIRED

PRINT LEGIBLY OR TYPE

#### 2. **Business Address:** Street Number Zip Code County 3. . Mailing Address: Number Street Zip Code Fax Number: Telephone Number: 4. If Corporation, List Corporate Officers: 5. 6. Contact Person: 7. Address: Number Zip Code Fax Number: 8. Telephone Number: , certify that the information contained in this application and all attachments are true and correct to the best of my knowledge. Signature of Applicant: Print or Type Name of Applicant: State of County of Sworn to and subscribed before me this Day, Month, Year as identification, and who $\square$ has $\square$ has not who is personally known or who has produced taken an oath. Seal Notary Signature Type, Print or Stamp Name

#### CERTIFICATE OF SPARKLER REGISTRATION **BUREAU OF FIRE PREVENTION** REGULATORY LICENSING SECTION

MAIL TO:

Revenue Processing Section Post Office Box 6100

Tallahassee, FL 32314-6100

In compliance with the provisions of Chapter 791, Florida Statutes, application is hereby made for a Certificate of Registration for the type and class listed below:

Type 07	Class 63	F/T L		Seasona	Retailer	Fee \$200	
		A separate at whic	form DFS-K3-12 h each seasona	233 and fee as prescr il retailer of sparklers	e State Fire Marshal*** ibed above must be filed does business in the sta ESTED IS REQUIRED OR TYPE	for each location te of Florida.	
1.	Business Nam	ie:		·			<b>.</b>
2.	Business Addi						
		Nur	nber		Street		·.
	City		State		Zip Code	County	********
3.	Mailing Addres	ss:	•				
		Numb	er .		Street		
-	City		State		Zip Code	County	
<b>l</b> .		mber:			Fax Number:		
5	If Corporation,	list corpora	te officers:				· ·
- 3.	Contact Perce	m'	<del> </del>			· · · · · · · · · · · · · · · · · · ·	
7.		111.					
· •	Address:	Number		Str	eet		
	City		State		Zip Code	County	
3.		mber:		•	Fax Number:	· · · · · · · · · · · · · · · · · · ·	
9.	*		Sparklers Will b		,		
				Number		Street	
	City		State	<u>:</u>	Zip Code	County	
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Print	or Type Name o	of Applicant:			• '		
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Oca:					Notary Sign	ature	-
				· · · · · ·	Type, Print or Sta	mo Name	-



#### CERTIFICATE OF SPARKLER REGISTRATION BUREAU OF FIRE PREVENTION REGULATORY LICENSING SECTION

MAIL TO:

DFS-K3-1534 REV 06/02

Revenue Processing Section Post Office Box 6100

Tallahassee, FL 32314-6100

In compliance with the provisions of Chapter 791, Florida Statutes, application is hereby made for a Certificate of Registration for the type and class listed below:

Type 07	Class 64	F/T L	Retai	ler	Fee \$15,00	
		***Make che	ck payable to the	e State Fire Marshal*	**	
		ALL IN	FORMATION REQUE			
	Business Name	e'.		J	and the second second	
	Business Addre					
		Number		Street		
,	City	State		Zip Code	County	
	Mailing Addres					
•		Number		Street		
•	City	State		Zip Code	County	
	Telephone Nun			Fax Number:		
	If Corporation,	list corporate officers:		· · · · · · · · · · · · · · · · · · ·		
	Contact Person	1:				
	Address:					
		umber	Street			
	City	State		Zip Code	County	
•	Telephone Nun			_ Fax Number:		
	Retail Location	Where Sparklers Will be So	old: Number		Street	
•	City	State	<u></u>	Zip Code	County	
	<b>,</b>				•	
	and correct to the	, cer best of my knowledge.	tify that the informat	ion contained in this appli	cation and all attachments are	
	•		4			
•	iture of Applicant			<u> </u>	•	
		f Applicant:		<del> </del>	•	
tate	of ty of	<u></u>	<b>-</b> *		•	
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\*\*\*A registration form is required for all fixed places of business where sparklers will be offered for sale. All information requested for each location to be registered must be completed or the application will be returned. Each location registered requires a separate fee of \$15.00.

	Class 66	F/T L	Retail Location Registratio	Fee n \$15.00	Number of Locations: Total Fee Submitted:	·
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Business Name:						
Address:			·			
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Contact F	Peṛson	·	· · · · · · · · · · · · · · · · · · ·	Telephone Numbe	rr:	
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Business Name:	 					
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