

## Department of Planning and Budget

### 2016 Fiscal Impact Statement

**1. Bill Number:** SB208

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Garrett

**3. Committee:** Senate Committee on General Laws and Technology

**4. Title:** Statewide Fire Prevention Code; State Fire Marshal; consumer fireworks; penalties.

**5. Summary:** Authorizes the use of consumer fireworks in the Commonwealth and distinguishes by definition consumer fireworks from display fireworks and permissible fireworks. The bill defines "consumer fireworks" as small fireworks devices (i) containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion and (ii) complying with certain federal regulations regarding composition and labeling. The bill also provides that the storage and transportation of consumer fireworks are to be considered the same hazard class as the storage and transportation of 1.4G explosives under the Statewide Fire Prevention Code (SFPC) and Uniform Statewide Building Code. The bill excludes from the provisions of the SFPC, unless prohibited by a local ordinance, (a) the sale of permissible or consumer fireworks, (b) any person using, igniting, or exploding permissible or consumer fireworks on residential or agricultural property with the consent of the owner of such property, or (c) such permissible or consumer fireworks when they are being transported from a locality where they were legally obtained to a locality where they are legally permitted. Current law only excludes sale of permissible fireworks or the use of such fireworks on private property. The provisions of the bill have a delayed effective date of January 1, 2017. The bill contains technical amendments.

**6. Budget Amendment Necessary:** Yes, Item 409

**7. Fiscal Impact Estimates:** Preliminary (see Item #8)

**8. Fiscal Implications:** According to the State Fire Marshal Office (SFMO), the provisions of this legislation would likely increase workload demands. The SFMO anticipates an increase in noise complaints, violations, and accidents resulting from consumer fireworks.

Currently, the SFMO has 25 authorized positions consisting of 20 field inspectors and 5 regional managers that are responsible for administering and enforcing the provisions of the Statewide Fire Prevention Code in 183 of Virginia's cities, counties and towns.

The salary and benefit cost of an inspector position is \$90,000 annually. The SFMO estimates 15 additional inspectors will be needed to carry out the provisions of this legislation requiring \$1,350,000 in additional general fund appropriation each year.

**9. Specific Agency or Political Subdivisions Affected:** Department of Fire Programs

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None

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