



Colorado Fireworks Law

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This *issue brief* examines Colorado fireworks law, including permissible fireworks, sales, local government regulations, penalties for violating state laws, and executive orders.

Sale and Use of Fireworks

Colorado law regulates the sale and use of fireworks.¹ It is illegal for a person to use fireworks, other than those that are permissible, anywhere in the state. Permissible fireworks are non-explosive and not intended to leave the ground. They are small firework devices that produce audible or visual effects through combustion. Permissible fireworks include:

- fountains with 200 grams or less of explosives, including cones of 50 grams or less per tube or cylinders with 75 grams or less per tube;
- wheels with 200 grams or less of explosives, 60 grams per driver unit;
- ground spinners with 20 grams or less of explosives;
- illuminating torches with 200 grams or less of explosives;
- dipped sticks and sparklers with 100 grams or less of explosives;
- snakes or glow worms with 2 grams or less of explosives;
- explosive auto alarms, toy propellants, cigarette loads, strike-on-box matches, or trick noise makers with 50 milligrams or less of explosives; and
- tube devices with 500 grams or less of explosives and a shower of sparks no more than 15 feet above the ground.

Fireworks for public and professional displays.

In Colorado, only individuals certified by the Division of Fire Prevention and Control within the Department of Public Safety² can perform public or professional firework displays using:

- firecrackers;
- aerial devices, such as rockets or bottle rockets;
- roman candles;
- cherry bombs; and
- mortars or similar items, such as M-80s.

Other uses. Other permitted uses for fireworks include:

- signaling and illumination by railroads or transportation agencies;
- signaling or ceremonies in athletics or sports, blank cartridges in a show or theatre, or military organizations;
- agricultural purposes approved by Colorado Parks and Wildlife; or
- selling, delivering, consigning, gifting, or furnishing fireworks among licensed display retailers, wholesalers, or exporters.

Sale of fireworks. Anyone selling permissible fireworks in Colorado must have a retailer of fireworks license. Persons creating a professional fireworks display must also have a display retailer of fireworks license to purchase fireworks for the display. The Division of Fire Prevention and Control oversees licensing.

¹Section 24-33.5-2001, *et seq.*, C.R.S.

²8 CCR 1507-12

Vendors selling fireworks for export must have an exporter of fireworks license. A person must possess an out-of-state driver's license and proof of a valid out-of-state motor vehicle registration to purchase the fireworks. An individual with an out-of-state wholesale or retail license may also purchase these same fireworks.

It is illegal for anyone not licensed as a display retailer, exporter, or wholesaler to purchase or bring any fireworks purchased in other states into Colorado. Individuals transporting fireworks must meet the U.S. Department of Transportation requirements for transporting explosives, fireworks, and dangerous materials.

Local Government Regulation

Local governments may further restrict the types of fireworks sold or used within their boundaries and ban the sale and use altogether. Local regulations cannot allow firework types or uses prohibited by state law. Differences between jurisdictions mean that a firework may be illegal to buy or use in one area and legal in another area.

A board of county commissioners can prohibit or restrict the sale, use, and possession of fireworks in any unincorporated areas of a county. In order for the prohibition or restriction to be effective between May 31 and July 5, a resolution must be adopted and identify evidence of high fire danger. The county may reconsider the resolution if weather conditions contributing to high fire danger change.³

Local governments issue permits for the storage and sale of fireworks, as well as for firework or pyrotechnical displays provided by individuals or organizations at venues, such as amusement parks. Displays must meet National Fire Protection Association requirements. State and county fairs are exempt from this type of permitting.

Penalties for Violation of State Law

Local law enforcement agencies enforce state fireworks laws. Colorado law identifies the sale or use of illegal fireworks as a Class 3 misdemeanor resulting in a fine of \$50 to \$750 and up to six months in jail.⁴ In addition, violators can have fireworks seized. Municipalities may prescribe and enforce more severe penalties for violations of their ordinances.

Colorado law establishes penalties for setting fires and reckless conduct resulting in fires. Conviction may result in jail time of up to 12 years and a fine of up to \$750,000 for some offenses. A judge may order an offender to pay for property destroyed, injuries caused by a fire, or restitution to emergency responders to cover the costs of responding to the fire. Victims impacted by criminal activities may also sue individuals.

Executive Orders

Current law authorizes the Governor to issue executive orders to prohibit or limit burning throughout the state, which may include the use of fireworks, when conditions of extreme fire danger exist and could result in forest fires⁵. Executive orders typically expire when the Governor declares an end to the order or when hazardous conditions subside. Executive orders in 2002, 2006, 2012, and 2020 banned open burning, including the use of fireworks.

³Section 30-15-401 (1)(n.7), C.R.S.

⁴Section 18-1.3-501 (1)(a), C.R.S.

⁵Section 24-33.5-1225, C.R.S.