

53-7-223 State license for display operators, special effects operators, and flame effects operators -- Permit -- Fee -- Division duties -- Revocation.

- (1)
 - (a) A person may not purchase or possess display fireworks, special effects fireworks, or flame effects, or discharge any of them in public unless the person has obtained the appropriate license from the division, except under Subsection (1)(b).
 - (b)
 - (i) Subsection (1)(a) does not apply to any person who participates in a meeting, as limited under Subsection (1)(b)(ii), with other persons solely to receive training, to practice, or provide instruction regarding flame effects performance.
 - (ii) A meeting under Subsection (1)(b)(i) may include a nonpaying and unsolicited audience of not more than 25 persons.
- (2) The division shall:
 - (a) issue an annual license to any display operator, special effects operator, or flame effects operator who:
 - (i) applies for the permit;
 - (ii) pays a \$40 fee;
 - (iii) demonstrates proof of competence; and
 - (iv) certifies that the operator will comply with board rules governing placement and discharge of fireworks or flame effects;
 - (b) provide the licensee with a copy of the rules governing placement and discharge of fireworks or flame effects made under Section 53-7-204; and
 - (c) together with county and municipal officers enforce Sections 53-7-220 through 53-7-225.
- (3) The division may:
 - (a) revoke a license issued under this section for cause;
 - (b) seize display and special effects fireworks, fireworks, and unclassified fireworks that are offered for sale, sold, or in the possession of an individual in violation of Sections 53-7-220 through 53-7-225;
 - (c) prevent or stop the use of flame effects that is unlawful or that is endangering persons or property; and
 - (d) create application and certification forms.

Amended by Chapter 61, 2010 General Session