

## Summary of Massachusetts Fireworks Law MGL Chapter 148, S. 39

### What does the law prohibit?

It is illegal for private citizens to use, possess, or sell fireworks in Massachusetts, or to purchase them legally elsewhere and then transport them into the state. The law prohibits any article designed to produce a visible or audible effect.

### Sale of fireworks

**Penalty:** Fine or imprisonment or both, and confiscation

**Fine:** \$100 to \$1000

**Imprisonment:** Maximum of 1 year

**Seizure of fireworks:** Mandatory

**Right of arrest?** Statute says the officer **may** arrest without a warrant.

**Must an officer seize the fireworks?** Yes, the statute says the officer **shall** seize any fireworks.

### Possession, use, cause to explode of fireworks

**Penalty:** Fine and confiscation only

**Fine:** \$10 to \$100

**Seizure of fireworks:** Mandatory.

**No right of arrest for possession.** The statute only provides for a fine upon conviction and automatic confiscation of fireworks.

**Must an officer seize the fireworks?** Yes, the statute says the officer **shall** seize any fireworks.

During business hours, contact the State Police Bomb Squad at (978) 567-3310 and notify them immediately for *large quantities, commercial grade, or deteriorated materials*. After hours, call (508) 820-2121 and ask for the Troop Duty Officer who will arrange for a pick up during normal business hours.

### NON COMMERCIAL OR SMALL QUANTITY FIREWORKS DISPOSALPROCEDURE

Officers are to soak any seized fireworks with water (barrel located in the garage) to ensure their inoperability before securing them in the blue barrel located in the garage. If an arrest is made or complaints sought, pictures should be taken of any evidence before making them inoperable. The

key to the blue barrel will be located in the OIC's office. A property and evidence sheet shall be filled out and placed in a temporary locker in the Support Services lobby. The Support Services Bureau will arrange for proper disposal of the disposed fireworks on Monday.