



Information Bulletin

Sparkling Devices Information

A recent change in New York State Penal Law now allows for the sale and use of a specific category of consumer fireworks known as Sparkling Devices.

Sparkling Devices are ground based or handheld devices that produce a shower of colored sparks and or a colored flame, audible crackling or whistling noise and smoke. The law limits the type, size and construction of Sparkling Devices and requires that these devices must be hand held or mounted on a base or spike and be limited in sizes that range from 1 to 500 grams of pyrotechnic composition.

Sale and use of Sparkling Devices is legal in counties that have NOT enacted a local law pursuant to section 405.00 of the Penal Law of NY.

See the applicable sections of the Penal Law here:

Section 270.00 [www.dhSES.ny.gov/ofpc/laws/documents/270.pdf]

Section 405.00 [www.dhSES.ny.gov/ofpc/laws/documents/405.pdf]

Sellers, manufacturers and distributors of Sparkling Devices are required to apply for a license from the Office of Fire Prevention and Control and pay an annual fee and be subject to other rules and conditions. Details available at www.dhSES.ny.gov/ofpc/news/sparklingdevices.cfm

Important Notes:

Sales of Sparkling Devices by certified permanent and specialty retailers can only occur from June 1 to July 5 and December 26 to January 1.

Sales of Sparkling Devices by certified temporary stands or tents can only occur from June 20 to July 5 and December 26 to January 1.

All other types of consumer fireworks, including firecrackers, bottle rockets, roman candles, spinners and aerial devices, remain illegal statewide.

Additionally, all consumer fireworks, including Sparkling Devices, remain fully prohibited in the City of New York.