



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.

Use and Sale of Fireworks

Colorado law regulates the use and sale of fireworks.¹ It is illegal to use fireworks anywhere in the state, with some permitted exceptions. Permitted fireworks are non-explosive and not intended to leave the ground. They are small devices that produce audible or visual effects when lit. Permitted fireworks include:

- fountains;
- wheels;
- ground spinners;
- illuminating torches;
- dipped sticks and sparklers;
- snakes or glow worms;
- explosive auto alarms, toy propellants, cigarette loads, strike-on-box matches, or trick noise makers; and
- tube devices with 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; or
- mortars or similar items, such as M-80s.

Other uses. Other permitted uses of fireworks include:

- signaling and lighting by railroads or transportation agencies;
- using blank cartridges for a show or theatre, for signal signaling or ceremonial purposes in athletics or sports, or for use by 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. The Division of Fire Prevention and Control oversees licensing. There are four types of licenses:

- retailer to sell permissible fireworks;
- display-retailer to purchase fireworks for a professional fireworks display;
- exporter to sell fireworks for transfer outside the state; and
- wholesaler to sell permissible fireworks to a retailer.

To purchase fireworks for export, a person must have a driver license and an out-of-state retailer exporter, or wholesaler license. To purchase fireworks outside of Colorado and bring them into the state, a person must hold a display retailer, exporter, or wholesaler license. Individuals

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

²8 CCR 1507-12

transporting fireworks must meet the U.S. Department of Transportation requirements for transporting explosives, fireworks, and dangerous materials.

Local Government Regulation

Regulation by 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 among local jurisdictions may mean that a firework is illegal to buy or use in one jurisdiction but legal in another one.

A board of county commissioners can prohibit or restrict the sale, use, and possession of fireworks in any unincorporated areas of a county. 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 change.³

Local governments may issue permits for the storage and sale; and display of firework or pyrotechnics 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 display permitting.

Penalties for Violating State Law

Local law enforcement agencies typically 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/or up to six months in jail.⁴ In addition, violators may have fireworks seized. Municipalities may prescribe and enforce more severe penalties for violations of their ordinances.

A setting fires and reckless conduct 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 their costs. 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, including 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.