

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 without a license and a permit. This includes fireworks purchased legally elsewhere and brought into Massachusetts. It includes sparklers, firecrackers, cherry bombs, and other fireworks. 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
- **Who can arrest?** Any officer qualified to serve criminal process.
- **Must an officer arrest?** No. 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.

The possession, use, or sale of fireworks without a license and a permit is illegal in MA.

Possession, Use, Cause to Explode of Fireworks

- **Penalty:** Fine and confiscation only
- **Fine:** \$10 to \$100
- **Seizure of fireworks:** Mandatory
- **Who can seize?** Any officer qualified to serve criminal process.
- **May an officer arrest?** For possession, no. 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.

Seizure

- **Can people get their fireworks back?** No. If convicted, the fireworks are forfeited to the state.
- **What does an officer do with confiscated fireworks?** During business hours, contact the State Police Bomb Squad at (978) 567-3310. Notify them immediately for large quantities, commercial grade, or deteriorated materials. After hours, call (508) 820-2121 and ask for the Troop Duty Officer in your area. An on-call Bomb Squad Officer will arrange for pick-up.



Department of Fire Services
www.mass.gov/dfs • (978) 567-3100