



# Massachusetts Fireworks Law: MGL c. 148, s. 39

Massachusetts law prohibits the possession, use or sale of fireworks without the proper license and certification. This document was created to assist you in understanding the law and educating members of your community on its provisions.

## What does the law prohibit?

- It is illegal to use, possess, sell, or offer to sell fireworks in Massachusetts without the required licensure, certification, and permits issued by the State Fire Marshal and local fire department.
- The law applies even to fireworks that were purchased lawfully in another state.
- The law prohibits any article designed to produce a visible or audible effect by combustion, explosion, deflagration, or detonation.

## Is the law effective?

- Yes. The per capita rate of fireworks injuries in Massachusetts is about 1/5 the national rate.

## Unlawful 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.

## Unlawful possession or use 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 and destroyed.

## 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 trooper will arrange for pick-up.

Massachusetts  
Department of  
Fire Services

[www.mass.gov/dfs](http://www.mass.gov/dfs)  
**978-567-3100**