

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

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.



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.



FireFactors

Office of the State Fire Marshal • www.mass.gov/dfs • (978) 567-3380