R710. Public Safety, Fire Marshal.

R710-15-1. Purpose.
The purpose of this rule is to establish a statewide policy for the safe seizure, storage, and repurposing, destruction, or disposal of a firework, class A explosive, or class B explosive that is illegal or used or handled in an illegal manner.

This rule is authorized by Subsection 53-7-204(1)(b)(v).

(1) Terms used in this rule are defined in Sections 53-7-202 and 19-6-102.
(2) In addition:
   (a) "ATF" means the Bureau of Alcohol, Tobacco, Firearms and Explosives; and
   (b) "FBI" means the Federal Bureau of Investigations.

(1) Seized fireworks, class A explosives, and class B explosives:
   (a) shall be secured against tampering or theft; and
   (b) shall be stored according to Federal law.

R710-15-5. Repurposing, Destruction, or Disposal.
(1) A state, county, special district, or local government agency is prohibited from disposing of any seized firework, class A explosive, or class B explosive by burning except under circumstances described in this rule.
(2) A state, county, special district, or local government agency may dispose of seized fireworks, class A explosives, or class B explosives by:
   (a) returning them to a state licensed wholesaler or manufacturer for repurposing, testing, or display;
   (b) detonating them on scene as directed by the incident commander or the regional bomb team commander following FBI or ATF standards;
   (c) detonating them in another safe location as directed by the incident commander or the regional bomb team commander following FBI or ATF standards;
   (d) using them for training or testing purposes;
   (e) burning them in an enclosed incinerator designed for that purpose;
   (f) open burning in compliance with Subsection R307-202-7; or
(g) other methods as approved by the FBI or the ATF.
(3) A state, county, special district, or local government agency may not use seized fireworks, class A explosives, or class B explosives for display, entertainment, or celebration purposes.

KEY: seizure of fireworks, storage of fireworks, disposal of fireworks, repurposing of fireworks
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