

Kansas Administrative Regulations

State Fire Marshal

Article 6.—Fireworks

22-6-20. Adoptions by reference.

(a) The following national fire protection association codes and standards are hereby adopted by reference, with the following modifications and the modifications specified in subsection (b):

(1) No. 160, "standard for the use of flame effects before an audience," 2011 edition, with the following modifications:

(A) Section 1.3.5 shall be deleted; and

(B) section 8.1.2 shall be deleted and replaced with the following: "Each operator shall be licensed in accordance with K.S.A. 2015 Supp. 31-503, and amendments thereto, and K.A.R. 22-6-25.";

(2) no. 1123, "code for fireworks display," 2014 edition, except that sections 10.1.1 through 10.1.3 shall be deleted and replaced with the following: "Each operator shall be licensed in accordance with K.S.A. 2015 Supp. 31-503, and amendments thereto, and K.A.R. 22-6-24.";

(3) no. 1124, "code for the manufacture, transportation, storage, and retail sales of fireworks and pyrotechnic articles," 2006 edition, with the following modifications:

(A) In section 4.3.3.1, the words "to the Office of the State Fire Marshal" shall be added before the words "and to local law enforcement authorities";

(B) in section 5.1.1.2(1), the words "that are not bullet sensitive" shall be deleted;

(C) in section 6.2.7.1, the words "using an approved test sampling plan" shall be deleted and replaced by the following: "or a CPSC-approved test sampling plan shall be used";

(D) sections 6.5.2.3, 6.5.2.4, 6.14.4, 7.3.19.4, and 7.4.6.3 shall be deleted;

(E) in section 7.3.14.1.1, the text "three or as determined in accordance with NFPA 101, Life Safety Code, whichever number is greater" shall be deleted and replaced by

the following: "two, or as determined in accordance with the international fire code, which is adopted by reference in K.A.R. 22-1-3, whichever number is greater"; and

(F) in section 7.3.15.6, the word "horizontally" shall be inserted before "ejected pyrotechnic components"; and

(4) no. 1126, "standard for the use of pyrotechnics before a proximate audience," 2011 edition, with the following modifications:

(A) Section 1.3.5.2 shall be deleted; and

(B) sections 6.5.1 through 6.5.1.2 shall be deleted and replaced with the following: "Each operator shall be licensed in accordance with K.S.A. 2015 Supp. 31-503, and amendments thereto, and K.A.R. 22-6-25."

(b) The following modifications shall be made to the codes and standards adopted in subsection (a):

(1) All material before the first chapter shall be excluded from adoption.

(2) All annexes shall be excluded from adoption.

(3) Chapter 2, "referenced publications," shall be excluded from adoption.

(4) All indexes and all material after the indexes shall be excluded from adoption.

(5) The last sentence of section 3.1 in each code or standard shall be excluded from adoption.

(6) Each reference to a code or standard adopted in article 1 shall mean the edition of that code or standard adopted in that article.

(7) Each reference to a code or standard adopted in this regulation shall mean the edition of that code or standard adopted in this regulation.

(8) The definition of "authority having jurisdiction (AHJ)" in section 3.2.2 shall be replaced with the following: "the state fire marshal or designee," except when the context indicates that the term is referring to a local fire department or a local law enforcement agency.

(c) Chapter three in American pyrotechnics association standard 87-1, "standard for construction and approval for transportation of fireworks, novelties, and theatrical pyrotechnics," 2001 edition, is hereby adopted by reference, except for the following:

(1) Section 3.8;

(2) section 3.9; and

(3) section 3.10.

(Authorized by and implementing K.S.A. 2016 Supp. 31-133 and K.S.A. 2016 Supp. 31-506; effective Dec. 29, 2008; amended April 6, 2018.)

***** Authenticated Kansas Administrative Regulation *****