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HEALTH AND SAFETY CODE - HSC

DIVISION 11. EXPLOSIVES [12000 - 12761] (*Division 11 enacted by Stats. 1939, Ch. 60.*)

PART 2. FIREWORKS AND PYROTECHNIC DEVICES [12500 - 12728] (*Part 2 repealed and added by Stats. 1973, Ch. 1109.*)

CHAPTER 5. Licenses [12570 - 12637] (*Chapter 5 added by Stats. 1973, Ch. 1109.*)

ARTICLE 5. Fees [12630 - 12637] (*Article 5 added by Stats. 1973, Ch. 1109.*)

[12630.](#) The State Fire Marshal shall establish and collect the original and annual renewal fees for fireworks licenses required by this chapter. The fees shall not exceed the amount necessary to cover the costs incurred in the administration and enforcement of this part.

(*Repealed and added by Stats. 1983, Ch. 1313, Sec. 2.*)

[12631.](#) The original and annual renewal license fee to manufacture, import, export, or wholesale, or any combination thereof, agricultural and wildlife fireworks shall be established and collected by the State Fire Marshal.

(*Amended by Stats. 1983, Ch. 1313, Sec. 3.*)

[12632.](#) The original and annual renewal license fee to manufacture, import, export, or wholesale, or any combination thereof, model rocket motors shall be established and collected by the State Fire Marshal.

(*Amended by Stats. 2015, Ch. 106, Sec. 5. (AB 467) Effective January 1, 2016.*)

[12633.](#) The original and annual renewal application for registration of each model of emergency signaling devices shall be made to the State Fire Marshal. A registration fee established and collected by the State Fire Marshal for each model of signaling device shall accompany each application.

(*Amended by Stats. 1990, Ch. 233, Sec. 2.*)

[12634.](#) When a license to manufacture, wholesale, or import and export fireworks has been issued pursuant to Section 12571, 12572, or 12573, respectively, a separate license for the same person to manufacture, wholesale, import, or export agricultural and wildlife fireworks or model rocket motors pursuant to Section 12631 or 12632 shall not be required where the license allows the activity with respect to other fireworks.

(*Amended by Stats. 2015, Ch. 106, Sec. 6. (AB 467) Effective January 1, 2016.*)

[12635.](#) All of the moneys collected pursuant to this part shall be deposited in the State Fire Marshal Licensing and Certification Fund established pursuant to Section 13137 and shall be available, when appropriated by the Legislature, to the State Fire Marshal to carry out this part.

(*Amended by Stats. 1992, Ch. 306, Sec. 1. Effective January 1, 1993. Operative July 1, 1993, by Sec. 6 of Ch. 306.*)

[12635.5.](#) (a) A charter city, city, county, fire protection district, or city and county that adopts an ordinance or resolution pursuant to Section 12599 may, through adoption of an ordinance or resolution by the governing body, require each applicant receiving a permit to pay a fee to the charter city, city, county, fire protection district, or city and county of a pro rata portion of the actual and reasonable costs the charter city, city, county, fire protection district, or city and county incurs that is related to any of the following:

(1) Processing and issuing permits.

(2) Inspection of fireworks stands.

(3) Public education and awareness campaigns regarding the safe and responsible use of safe and sane fireworks, and the dangers and risks posed by the use of illegal fireworks.

(4) Enforcing the provisions of the code of the charter city, city, county, fire protection district, or city and county with respect to the sale and use of safe and sane fireworks, including extra personnel time and cleanup of the fireworks trash and debris. "Extra personnel time" means employee or contracted employee time that the charter city, city, county, fire protection district, or city and county would not otherwise incur but for the sale and use of safe and sane fireworks.

(5) Fire operation and suppression efforts that are directly related to safe and sane fireworks.

(b) The pro rata share of the costs shall be specified in the ordinance or resolution and calculated using gross sales as shown on each permittee's sales and use tax return for the applicable period. The pro rata share of costs shall not exceed 7 percent of the gross sales of the fireworks sold in the charter city, city, county, fire protection district, or city and county during the applicable period. A cost recovery ordinance or resolution in effect on or before January 1, 2024, may supersede this subdivision.

(Added by Stats. 2023, Ch. 368, Sec. 3. (AB 1403) Effective January 1, 2024.)

12636. Except as otherwise provided by law, the State Fire Marshal shall charge a fee in the amount of five dollars (\$5) for each certified copy of any record, document, or paper in his custody, or for certification of any document representing the content of any such record, document, or paper.

(Added by Stats. 1973, Ch. 1109.)

12637. All fireworks or pyrotechnic devices intended for sale in this state, which are products of nonlicensed manufacturers, shall be examined and classified by the State Fire Marshal upon written application on forms provided by him. Such application shall be accompanied by a fee as follows:

(a) Ten dollars (\$10) for each label of an item of identical size and design of a given lot or batch, provided that the lot or batch is identifiable by a code, serial number, shipment lot, case cargo number, etc.

A separate application and fee shall be submitted for each lot or batch. The State Fire Marshal seal and the wholesalers or importers registration number shall not be imprinted on the label until the lot or batch has been examined and classified.

(Added by Stats. 1973, Ch. 1109.)