

LEGISLATURE OF THE STATE OF IDAHO
Sixty-third Legislature First Regular Session - 2015

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 195

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO FIREWORKS; AMENDING SECTION 39-2609, IDAHO CODE, TO PROVIDE
PENALTIES FOR A FIREWORKS VIOLATION; AND AMENDING SECTION 39-2613,
IDAHO CODE, TO PROVIDE A CODE REFERENCE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 39-2609, Idaho Code, be, and the same is hereby
amended to read as follows:

39-2609. GENERAL PROHIBITIONS. It shall be unlawful for any person,
except in compliance with this chapter, to:

(1) Alter any fireworks;
(2) Throw any fireworks from, into, or at a moving vehicle or at any per-
son;

(3) Sell or use any fireworks at any time not permitted under this chap-
ter;

(4) Use fireworks in any area that constitutes a severe fire threat
based on the vegetative conditions during the current fire season as deter-
mined by the county commission or authority having jurisdiction, provided
that notice of such areas is given in advance.

A violation of subsection (1) or (3) of this section shall constitute an
infraction and shall be punishable by a fine of one hundred dollars (\$100).

SECTION 2. That Section 39-2613, Idaho Code, be, and the same is hereby
amended to read as follows:

39-2613. PENALTIES -- INJUNCTIONS. Except as provided in section
39-2609, Idaho Code, Any person violating the provisions of this chapter or
any rules issued hereunder is guilty of a misdemeanor. Notwithstanding the
existence or use of any other penalty or remedy, any person who violates the
provisions of this chapter or any of the rules promulgated pursuant to this
chapter may, upon application to or with written consent of the authority
having jurisdiction, be enjoined in the manner provided by law from continu-
ing the violation. Fireworks being used in violation of this chapter may be
confiscated by the authority having jurisdiction.