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Title 68. Revenue and Taxation

Oklahoma Statutes Citationized

Title 68. Revenue and Taxation

Chapter 1 - Tax Codes

Article Article 16 - Fireworks

Section 1628 - Violations and Penalties - Contraband - Enforcement

Cite as: O.S. §. ___

Violation of any provision of this act is a misdemeanor punishable as follows:

(a) Discharging fireworks in violation of this act shall be punishable by a fine not to exceed One Hundred Dollars (\$100.00).

(b) Illegal sale, violation of licensing provision, false labeling, or any other violation of this act shall be punishable by a fine not to exceed One Thousand Dollars (\$1,000.00), ninety (90) days' imprisonment in the county jail, or both. In the event of a second conviction the license shall be revoked for a period of eighteen (18) months. Each violation of this act shall constitute a separate offense. No other person shall be granted a license to operate in the same location during the period of a revoked license.

(c) The State Fire Marshal, his deputies, or any authorized police or peace officer of this state shall seize as contraband any illegal fireworks as defined under the terms of this act. Fireworks seized in the enforcement of this act shall be held in custody of the county sheriff in which county such fireworks were seized. The party surrendering the fireworks, if aggrieved by the action, may file an appeal in writing to the district court in the county where fireworks were seized. Upon hearing the appeal, the district court may authorize the return of part or all of the confiscated fireworks; otherwise, the court shall authorize and direct that such contraband fireworks be destroyed.

(d) The provisions of this act shall be enforced by the State Fire Marshal and local fire marshals, the sheriff, the police or any peace officer licensed or authorized by this state or by their respective deputies.

Historical Data

Laws 1969, SB 41, c. 337, § 8, emerg. eff. June 1, 1969; Amended by Laws 1981, SB 97, c. 268, § 7, emerg. eff. June 25, 1981.

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