



## Ohio Revised Code

### Section 3743.48 Online sale and curbside pickup of consumer fireworks.

Effective: September 30, 2025

Legislation: House Bill 96 - 136th General Assembly

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(A) For the purposes of this section, "online sale" means a retail sale through an internet web site or other digital platform.

(B) A licensed manufacturer or licensed wholesaler may conduct online sales of 1.4G fireworks in accordance with this section. A licensed manufacturer or licensed wholesaler shall ensure that all selection, ordering, payment, and delivery is carried out in accordance with the procedures and requirements of this chapter and all rules adopted thereunder, except to the extent that those procedures, requirements, and rules directly conflict with this section.

(C) Each online sale of 1.4G fireworks shall be specifically associated with a single licensed manufacturer or licensed wholesaler, identified by license identification number and the address of the licensed premises. A licensed manufacturer or licensed wholesaler shall transfer possession of 1.4G fireworks purchased in an online sale only in the retail showroom of the licensed premises or via curbside delivery made in accordance with all of the following:

- (1) The delivery is made to the verified purchaser of the 1.4G fireworks.
- (2) The delivery occurs on the licensed premises associated with sale.
- (3) The delivery occurs in a designated customer pick-up zone which may be accessible by motor vehicles.
- (4) The purchaser is provided a safety pamphlet, in accordance with section 3743.47 of the Revised Code, at the point of delivery.
- (5) The purchaser is offered safety glasses for a nominal fee at the point of delivery in accordance section 3743.47 of the Revised Code.



(D) A licensed manufacturer or licensed wholesaler may construct a tent or other temporary structure on a licensed premises to provide shelter for employees and purchasers at the point of curbside delivery, provided that such structures are approved by the state fire marshal and are in compliance with all state and local laws, including the state building code, the state fire code, and any applicable zoning requirements.

(E) A licensed manufacturer or licensed wholesaler shall not transfer possession of 1.4G fireworks purchased in an online sale to any person other than the verified purchaser. Before transferring possession, the licensed manufacturer or licensed wholesaler shall verify all of the following:

- (1) The number and types of items included in the order;
- (2) That the purchaser is at least eighteen years of age;
- (3) That the purchaser's name is the same name associated with the credit or debit card with which the order was placed;
- (4) That the purchaser attests to understanding and agrees to comply with all applicable federal, state, and local laws regarding consumer fireworks storage and use;
- (5) That the purchaser signs all forms required by law;
- (6) That the purchaser pays the fee imposed by section 3743.22 of the Revised Code.

(F) A licensed manufacturer or licensed wholesaler that conducts online sales of 1.4G fireworks shall do all of the following:

- (1) Comply with all applicable state and local laws, including the state building code, state fire code, and zoning requirements;
- (2) Implement reasonable traffic control measures for curbside deliveries;
- (3) Maintain all regular fireworks sales records, including any records necessary to demonstrate



compliance with this section, and make those records available upon request of the state fire marshal or any law enforcement officer, fire code official, or building code official with jurisdiction.

(G) A licensed manufacturer or licensed wholesaler shall not do any of the following:

- (1) Deliver fireworks via mail order, parcel service, or any other delivery process that occurs outside of the licensed premises;
- (2) Sell or offer for sale fireworks or other items outside of the licensed retail showroom except as expressly authorized by this section;
- (3) Display fireworks for sale outside of a retail showroom;
- (4) Permit any member of the public to access any areas on the licensed premises other than the retail showroom and the designated area for curbside delivery.

(H) Nothing in this section shall be construed to do any of the following:

- (1) Reduce, waive, or otherwise eliminate any licensure or safety requirements in this chapter or the rules adopted thereunder;
- (2) Exempt any retail sales of 1.4G fireworks from the fee imposed by section 3743.22 of the Revised Code;
- (3) Reduce, waive, or otherwise eliminate any of a licensed manufacturer's or licensed wholesaler's liability, insurance, workers compensation, or other legal obligations.

(I)(1) A licensed wholesaler or licensed manufacturer is not required to conduct online sales of fireworks.

(2) A licensed wholesaler or licensed manufacturer may implement a hybrid firework purchase and delivery system composed of one or more of the following:



- (a) Standard retail showroom sales;
  - (b) Online selection of, or payment for, 1.4G fireworks products and in-store showroom delivery of those products;
  - (c) Online selection of, or payment for, 1.4G fireworks products and curb-side delivery of those products;
  - (d) Retail showroom-based product selection and payment, and curb-side delivery of those products;
  - (e) Other similar purchase and delivery systems approved in writing by the state fire marshal in accordance with division (J) of this section.
- (J) A licensed wholesaler or licensed manufacturer may submit to the state fire marshal proposals for alternative 1.4G firework purchase and delivery systems that satisfy the requirements of this section. The state fire marshal shall review each such proposal and, if the alternative firework purchase and delivery system satisfies the requirements of this section, may approve that firework purchase and delivery system for use by the licensed wholesaler or licensed manufacturer.
- (K) This section does not apply to 1.3G fireworks or wholesale sales.
- (L) The state fire marshal shall adopt rules and standards in accordance with Chapter 119. of the Revised Code as necessary to implement and enforce this section.