

(g) Testing of fireworks shall be performed in an area set aside for that purpose and located at a safe distance, considering the nature of the fireworks tested, from any plant building or neighboring structure.

[18E] 23. Same—Manufacturing fireworks elsewhere than in plant; operation of plant without license.

(a) It shall be unlawful for any person to manufacture or process fireworks in the State of Maryland except in a duly licensed fireworks plant. Any person manufacturing or processing fireworks in the State of Maryland in any location other than on the premises of a duly licensed fireworks plant shall be guilty of a misdemeanor and shall be fined not more than \$1,000.00 or imprisoned for not more than one year, or both.

(b) Any person operating, or continuing to operate a fireworks plant in the State of Maryland for which a license has been denied, suspended or revoked shall be guilty of a misdemeanor and shall be fined not more than \$2,000.00, or imprisoned for not more than two years, or both fined and imprisoned.

[19] 24. Exceptions to application of subtitle.

Nothing in this subtitle shall apply to the sale to, possession of, or use of fireworks by the **[f]** Federal, State, County or municipal governments, nor to the sale to, possession of or use of combustibles or explosive preparations required by industrial or commercial concerns for use as signals or otherwise in the normal course of their business; NOR TO THE POSSESSION OR USE OF FUSEES, RAILROAD TORPEDOES, ROCKETS, OR OTHER SIGNAL DEVICES AS MAY BE ESSENTIAL TO PROMOTE SAFETY IN THE OPERATION OF ANY MOTOR VEHICLE, BOAT OR RAILROAD; nor to the use of flares, signal pistols and other equipment when the same are to be used as signals in athletic contests or for similar purposes; nor to the sale to, possession or use by farmers or explosive devices or preparations known as fire crackers, salutes or cherry bombs, for use with a slow-burning fuse rope, in the control of destructive birds, under and subject to the terms and conditions of a permit issued by the **[Insurance Commissioner]** *State Fire Marshal*, and the said **[Commissioner]** *State Fire Marshal* is hereby authorized to grant nontransferable special permits for the purpose. State game wardens may act as representatives of the **[State Insurance Commissioner]** *State Fire Marshal* in the issuance of such permits to farmers for use in the control of destructive birds.

[20]. 25. Severability.

If any section or provision of this subtitle is held to be invalid such invalidity shall not affect the validity or applicability of the other sections or provisions thereof.

Explosives

[21] 26. Definitions.

As used in this subtitle:

(a) “Explosives” means gunpowder, powders for blasting, high “explosives” blasting materials, fuses (other than electric circuit