

fireworks are substituted for the former references to the "display" of fireworks for clarity and consistency.

In subsection (b) of this section, the reference to an "applicant for a permit to discharge" is substituted for the former reference to "applications for permits for public display" for clarity and consistency within this subtitle.

In subsection (b)(1) and (2) of this section, the references to the "State Fire Marshal" are added for clarity.

In subsection (b)(3) of this section, the reference to posting a bond "in accordance with § 10-105 of this subtitle" is added for clarity.

In subsection (c) of this section, the cross-reference to a permit "required under subsection (b) of this section" is substituted for the former reference to a permit required "for public display" for clarity.

As to the balance of former Art. 38A, § 16(a)(1), *see* § 10-110(a) of this subtitle.

As to the balance of former Art. 38A, § 18(a)(1), *see* § 10-105 of this subtitle.

Defined terms: "Fireworks" § 10-101
"Person" § 1-101

10-105. BOND OR INSURANCE.

(A) IN GENERAL.

(1) BEFORE ISSUING A PERMIT TO DISCHARGE FIREWORKS, THE STATE FIRE MARSHAL SHALL REQUIRE AN APPLICANT TO FURNISH A SURETY BOND WITH CORPORATE SURETY APPROVED BY THE STATE FIRE MARSHAL OR AN APPROVED LIABILITY AND PROPERTY INSURANCE POLICY.

(2) THE STATE FIRE MARSHAL SHALL PRESCRIBE THE AMOUNT OF THE BOND OR POLICY.

(3) THE BOND OR POLICY:

(I) SHALL BE CONDITIONED ON THE PAYMENT OF ALL DAMAGES TO PERSONS OR PROPERTY CAUSED BY THE DISCHARGE OR FIREWORKS DESCRIBED IN THE PERMIT;

(II) SHALL BE PAYABLE TO THE STATE; AND

(III) MAY BE ENFORCED BY A PERSON WHO SUFFERS DAMAGE CAUSED BY THE DISCHARGE OF FIREWORKS DESCRIBED IN THE PERMIT BY SUIT FILED IN THE NAME OF THE STATE FOR THE BENEFIT OF THE PERSON.

(B) CLAIMS.

IF CLAIMS UNDER A BOND OR POLICY REQUIRED UNDER THIS SUBTITLE ARE FOR AN AMOUNT GREATER THAN THE PENAL SUM OF THE BOND OR AMOUNT OF THE