

HOUSE BILL No. 6508

September 29, 2010, Introduced by Reps. Neumann, Polidori, Valentine, Mayes, Haase, Liss and Haugh and referred to the Committee on Regulatory Reform.

A bill to amend 1941 PA 207, entitled
"Fire prevention code,"
(MCL 29.1 to 29.33) by adding section 3f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 3F. (1) A PERSON SHALL NOT SELL AT RETAIL, OFFER FOR
2 RETAIL SALE, OR DISTRIBUTE FOR RETAIL SALE OR PROMOTION IN THIS
3 STATE A NOVELTY LIGHTER. A PERSON WHO VIOLATES THIS SUBSECTION
4 COMMITS A CIVIL VIOLATION FOR WHICH A FINE OF NOT MORE THAN \$500.00
5 MAY BE IMPOSED. THIS SUBSECTION MAY BE ENFORCED BY THE STATE FIRE
6 MARSHAL OR A STATE, COUNTY, OR MUNICIPAL LAW ENFORCEMENT OFFICER.
7 THE PROHIBITION SPECIFIED IN THIS SUBSECTION DOES NOT APPLY TO THE
8 TRANSPORTATION OF NOVELTY LIGHTERS THROUGH THIS STATE OR THE
9 STORAGE OF NOVELTY LIGHTERS IN A WAREHOUSE OR DISTRIBUTION CENTER
10 IN THIS STATE THAT IS CLOSED TO THE PUBLIC FOR PURPOSES OF RETAIL

1 SALES.

2 (2) AS USED IN THIS SECTION, "NOVELTY LIGHTER" MEANS A
3 MECHANICAL OR ELECTRICAL DEVICE TYPICALLY USED FOR IGNITING
4 CIGARETTES, PIPES, OR CIGARS THAT IS DESIGNED TO APPEAR TO BE A
5 TOY, FEATURES A FLASHING LIGHT, OR MAKES MUSICAL SOUNDS. NOVELTY
6 LIGHTER DOES NOT INCLUDE ANY OF THE FOLLOWING:

7 (A) A LIGHTER MANUFACTURED BEFORE JANUARY 1, 1980.

8 (B) A LIGHTER INCAPABLE OF BEING FUELED OR LACKING A DEVICE
9 NECESSARY TO PRODUCE COMBUSTION OR FLAME.

10 (C) ANY MECHANICAL DEVICE PRIMARILY USED TO IGNITE FUEL FOR
11 FIREPLACES OR FOR CHARCOAL OR GAS GRILLS.