

**ALABAMA DEPARTMENT OF INSURANCE
STATE FIRE MARSHAL REGULATION**

CHAPTER 482-2-110

DESTRUCTIVE DEVICE PERMIT REQUIREMENTS

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482-2-110-.01 Authority, Purpose, Definition, Severability, and Effective Date.

(1) This chapter is adopted pursuant to Sections 27-2-17, 27-7-43, 36-19-2.1, and 36-19-9, Code of Alabama 1975.

(2) The purpose of this chapter is to adopt the rules necessary to implement the provisions of Section 36-19-2.1, Code of Alabama 1975.

(3) For purposes of this chapter, “Destructive Device” shall have the meaning ascribed in Section 13A-10-190, Code of Alabama 1975.

(4) The provisions of this chapter are severable. If any provision or the application thereof to any person or circumstance is held invalid for any reason, the invalidity shall not affect the other provisions or any other application of this chapter which can be given effect without the invalid provisions or application.

(5) This chapter shall be effective upon its approval by the Commissioner of Insurance and upon its having been on file as a public document in the office of the Secretary of State for ten days.

Author: State Fire Marshal

Statutory Authority: Code of Alabama 1975, §§ 27-2-17, 27-7-43, 36-19-2.1 & 36-19-9

History: New November 15, 2017, Effective November 25, 2017

482-2-110-.02. Qualifications and Form.

(1) The qualifications for a permit to manufacture a destructive device are as follows:

(a) The applicant must be at least twenty-one (21) years of age.

(b) The applicant must be a legal resident of the State of Alabama, as indicated by a lawfully issued Alabama drivers license or non-driver identification card.

(c) The applicant must submit to a criminal background investigation.

(d) The applicant must not have been convicted of a felony or of any misdemeanor involving domestic violence.

(e) The applicant must demonstrate he or she has no drug or alcohol addictions.

(f) The applicant shall not intend to sell any destructive device to be manufactured nor intend to be paid to shoot or display any products to be made.

(2) The form to apply for a permit to manufacture destructive devices will be provided on the Website of the Alabama State Fire Marshal and will require, in addition to applicant identification information, the following:

(a) A statement of the purpose and need for the permit.

(b) The name of the device to be manufactured.

(c) The chemical formula or recipe for the device to be manufactured.

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(d) The physical address of the location to be used to manufacture the destructive device.

(3) The applicant must demonstrate a lawful purpose for the device to be manufactured.

(4) An applicant shall file a separate application for permit for each chemical formula or recipe to be manufactured.

(5) Prior to approval of a permit, the physical location to be used in the manufacturing of the destructive device shall pass a building and fire code inspection.

(6) The applicant must possess a license from the Bureau of Alcohol, Tobacco and Firearms if required by federal law regarding possession, storage or transportation of explosives.

Author: State Fire Marshal

Statutory Authority: Code of Alabama 1975, §§ 27-2-17, 27-7-43, 36-19-2.1 & 36-19-9

History: New November 15, 2017, Effective November 25, 2017

482-2-110-.03 Permit Fees. The State Fire Marshal hereby sets the following fees as are declared necessary for the administration and enforcement of Section 36-19-2.1, Code of Alabama 1975, relating to the manufacture of destructive devices:

(a) Initial application for permit. \$360.00

(b) Annual renewal of permit. \$240.00

Author: State Fire Marshal

Statutory Authority: Code of Alabama 1975, §§ 27-2-17, 27-7-43, 36-19-2.1 & 36-19-9

History: New November 15, 2017, Effective November 25, 2017

482-2-110-.04 Storage, Weights and Amounts. Permit holders shall be allowed to manufacture any amount of approved explosive compound, pyrotechnic compound, or energetic compound which can be reasonably expected to be used in one day, provide said permit holder has an approved storage container and has met all other existing state and federal storage requirements.

Author: State Fire Marshal

Statutory Authority: Code of Alabama 1975, §§ 27-2-17, 27-7-43, 36-19-2.1 & 36-19-9

History: New November 15, 2017, Effective November 25, 2017

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482-2-110-.05 Revocation of Permit.

(1) The Alabama State Fire Marshal shall revoke any permit for just cause shown, for any one or more of the following:

(a) If a permit holder is convicted of a felony or any misdemeanor involving domestic violence.

(b) The permit holder is shown to have a drug or alcohol addiction.

(c) If it is determined a permit holder is selling destructive devices manufactured under a permit or is being paid to shoot or otherwise display any products manufactured under a permit.

(d) For any cause for which issuance of the permit could have been refused had it then existed and been known to the State Fire Marshal.

(2) The Alabama State Fire Marshal will investigate all complaints against permit holders, including but not limited to those for excessive noise, property damage, nuisance, public safety, improper storage or no storage, discharging products during a Burn Ban, or use of explosive compounds pyrotechnic compounds or energetic compounds in a criminal manner.

(3) For any individual holding more than one permit, if one permit is revoked, all permits will be revoked.

Author: State Fire Marshal

Statutory Authority: Code of Alabama 1975, §§ 27-2-17, 27-7-43, 36-19-2.1 & 36-19-9

History: New November 15, 2017, Effective November 25, 2017