

**CHAPTER 190**

**EXPLOSIVES**

**Authority**

N.J.S.A. 21:1A-128 et seq., specifically 21:1A-131.

**Source and Effective Date**

R.2003 d.164, effective March 28, 2003.  
See: 35 N.J.R. 337(a), 35 N.J.R. 1670(b).

**Chapter Expiration Date**

Chapter 190, Explosives, expires on March 28, 2008.

**Chapter Historical Note**

Chapter 190, Explosives Permits and Fees, was adopted and became effective prior to September 1, 1969.

Chapter 190, Explosives, was adopted as R.1982 d.229, effective August 2, 1982, operative October 15, 1982. See: 13 N.J.R. 517(b), 14 N.J.R. 837(c). Pursuant to Executive Order No. 66(1978), Chapter 190, Explosives, expired on September 5, 1987.

Chapter 190, Explosives, was adopted as R.1988 d.16, effective January 4, 1988. See: 19 N.J.R. 1883(a), 20 N.J.R. 99(b). Pursuant to Executive Order No. 66(1978), Chapter 190, Explosives, expired on January 4, 1993.

Chapter 190, Explosives, was adopted as R.1993 d.72, effective February 1, 1993. See: 24 N.J.R. 4235(a), 25 N.J.R. 595(b).

Pursuant to Executive Order No. 66(1978), Chapter 190, Explosives, was readopted as R.1998 d.110, effective January 27, 1998. See: 29 N.J.R. 4624(a), 30 N.J.R. 847(a). As a part of R.1998 d.110, Subchapter 12, Administrative Penalties and Hearings, was adopted and former Subchapter 12, Standards and Publications Referred to in this Chapter, was recodified as Subchapter 13 by R.1998 d.110, effective March 2, 1998. See, also, section annotations.

Chapter 190, Explosives, was readopted as R.2003 d.164, effective March 28, 2003. See: Source and Effective Date.

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**SUBCHAPTER 1. GENERAL PROVISIONS****12:190-1.1 Title and citation**

This regulation shall be known and may be cited as Chapter 190, Explosives of Title 12, N.J.A.C.

**12:190-1.2 Purpose**

The purpose of this chapter is to protect the public and property by establishing reasonable standards for the manufacture, sale, transportation, storage, use, possession and disposition of explosives.

Amended by R.1998 d.110, effective March 2, 1998.

See: 29 N.J.R. 4624(a), 30 N.J.R. 847(a).

Inserted references to possession and disposition.

**12:190-1.3 Scope**

(a) This chapter shall apply to every person who manufactures, sells, transports, stores, uses or possesses explosives, except as provided in (b) below.

(b) This chapter shall not apply to:

1. The military or naval forces of the United States or its allies, or the duly authorized militia of any state, nor to the police or fire departments of this State, providing the same are acting in their official capacity and in the performance of their public duties;
2. Transportation of explosives in interstate or intrastate commerce;
3. Model rocketry;
4. Employee safety subject to the Occupational Safety and Health Act, 29 USC 651 et seq.;
5. Fireworks subject to N.J.S.A. 21:2-1 through 21:2-7;
6. Small arms ammunition; and
7. Explosives in the forms prescribed by the official U.S. Pharmacopoeia, USPC-1980, 20th edition.

Amended by R.1988 d.16, effective January 4, 1988.

See: 19 N.J.R. 1883(a), 20 N.J.R. 99(b).

Administrative correction.

See: 29 N.J.R. 566(a).

Amended by R.1998 d.110, effective March 2, 1998.

See: 29 N.J.R. 4624(a), 30 N.J.R. 847(a).

Changed N.J.S.A. reference.

**12:190-1.4 Documents referred to by reference**

The availability of standards and publications referred to in this chapter is explained in N.J.A.C. 12:190-12.

**12:190-1.5 Validity**

Should any section, paragraph, sentence or word of this chapter be declared for any reason to be invalid, such decision shall not affect the remaining portions of this chapter.