

**101A.1 Definitions.**

As used in this chapter:

1. “*Blasting agent*” means any material or mixture consisting of a fuel and oxidizer, intended for blasting but not otherwise classified as an explosive, in which none of the finished products as mixed and packaged for use or shipment can be detonated by means of a number eight test blasting cap when unconfined.

2. “*Commercial license*” or “*license*” means a license issued by the state fire marshal pursuant to this chapter.

3. “*Explosive*” means any chemical compound, mixture or device, the primary or common purpose of which is to function by explosion with substantially instantaneous release of gas and heat, unless such compound, mixture, or device is otherwise specifically classified by the United States department of transportation. The term “*explosive*” includes all materials which are classified as a class 1, division 1.1, 1.2, 1.3, or 1.4 explosive by the United States department of transportation, under 49 C.F.R. § 173.50, and all materials classified as explosive materials under 18 U.S.C. § 841, and includes, but is not limited to, dynamite, black powder, pellet powders, initiating explosives, blasting caps, electric blasting caps, safety fuse, fuse lighters, fuse igniters, squibs, cordeau detonative fuse, instantaneous fuse, igniter cord, igniters, smokeless propellant, cartridges for propellant-actuated power devices, cartridges for industrial guns, and overpressure devices, but does not include “*fireworks*” as defined in section 727.2 or ammunition or small arms primers manufactured for use in shotguns, rifles, and pistols. Commercial explosives are those explosives which are intended to be used in commercial or industrial operations.

4. “*Explosive materials*” means explosives or blasting agents.

5. “*Import*” and “*importation*” means transfer into the state of Iowa.

6. “*Licensee*” means a person holding a commercial license issued by the state fire marshal pursuant to this chapter.

7. “*Magazine*” means any building or structure, other than an explosives manufacturing building, approved by the state fire marshal or the fire marshal’s designated agent for the storage of explosive materials.

8. “*Overpressure device*” means any device constructed of a container or improvised container which is filled with a mixture of chemicals or sublimating materials or gases that generate an expanding gas, which is designed or constructed to cause the container to break, fracture, or rupture in a violent manner capable of causing death, serious injury, or property damage.

9. “*Permittee*” means a person holding a user’s permit issued pursuant to this chapter.

10. “*Person*” means any individual, corporation, partnership, or association.

11. “*User’s permit*” or “*permit*” means a permit issued by a county sheriff or chief of police of a city of ten thousand or more population, pursuant to this chapter.

[C73, 75, 77, 79, 81, §101A.1]

2008 Acts, ch 1147, §1, 2