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# A BILL FOR AN ACT

RELATED TO FIREWORKS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that fires, injuries, and  
2 property damage from fireworks increase during New Year's Eve  
3 and Fourth of July celebrations, creating health and safety  
4 concerns for the public and straining the resources of fire,  
5 police, and emergency medical services. The safety and welfare  
6 of the public will be better served by imposing stricter rules  
7 on the sale and use of fireworks.

8           The purpose of this Act is to allow the various counties to  
9 enact more stringent laws than those imposed by the Hawaii  
10 Revised Statutes and to restrict the sale and use of non-aerial  
11 common fireworks on the Fourth of July in counties with  
12 populations of over five hundred thousand.

13           SECTION 2. Section 132D-3, Hawaii Revised Statutes, is  
14 amended to read as follows:

15           "**§132D-3 Permissible uses of non-aerial common fireworks.**

16           (a) Non-aerial common fireworks may be set off, ignited,  
17 discharged, or otherwise caused to explode within the [State]  
18 state only:



1 (1) From 9:00 p.m. on New Year's Eve to 1:00 a.m. on New  
2 Year's Day; from 7:00 a.m. to 7:00 p.m. on Chinese New  
3 Year's Day; and except as provided in subsection (b),  
4 from 1:00 p.m. to 9:00 p.m. on the Fourth of July; or  
5 (2) From 9:00 a.m. to 9:00 p.m. as allowed by permit  
6 pursuant to section 132D-10 if the proposed cultural  
7 use is to occur at any time other than during the  
8 periods prescribed in paragraph (1);  
9 provided that the purchase of not more than [~~5,000~~] five  
10 thousand individual non-aerial common fireworks commonly known  
11 as firecrackers shall be allowed under each permit.

12 (b) The sale or use of non-aerial common fireworks on the  
13 Fourth of July is prohibited in counties with population of over  
14 five hundred thousand."

15 SECTION 3. Section 132D-17, Hawaii Revised Statutes, is  
16 amended to read as follows:

17 "**§132D-17 Inconsistent county ordinances, rules.**

18 Notwithstanding any other law to the contrary, no county shall  
19 enact [~~ordinances~~] an ordinance or adopt any [~~rules~~] rule  
20 regulating fireworks, except as required in this chapter, that  
21 is [~~inconsistent with or more~~] less restrictive than[~~r~~] the  
22 provisions of this chapter. Any ordinances and rules regulating



1 fireworks that were enacted or adopted by a county before [~~March~~  
 2 ~~31, 1995, except these provisions which are not inconsistent~~  
 3 ~~with, or more restrictive than those of this chapter]~~ August 1,  
 4 2006, that are inconsistent with the requirements of this  
 5 section, are declared void."

6 SECTION 4. Statutory material to be repealed is bracketed  
 7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect on August 1, 2006.

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INTRODUCED BY:

*[Handwritten signature]*  
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*Hemus Tenaha*  
*Royce*  
*John Smith*

JAN 20 2006



HB 2000

**Report Title:**  
Fireworks

**Description:**

Allows the various counties to enact more stringent laws than those imposed by the Hawaii Revised Statutes. Prohibits the sale of non-aerial common fireworks on the Fourth of July in counties with populations over 500,000.

