
A BILL FOR AN ACT

RELATING TO FIREWORKS.

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

1 SECTION 1. Section 132D-3, Hawaii Revised Statutes, is
2 amended to read as follows:

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

4 Non-aerial common fireworks may be set off, ignited, discharged,
5 or otherwise caused to explode within the State only:

6 (1) From 9:00 p.m. on New Year's Eve to 1:00 a.m. on New
7 Year's Day; from 7:00 a.m. to 7:00 p.m. on Chinese New
8 Year's Day; and from 1:00 p.m. to 9:00 p.m. on the
9 Fourth of July; or

10 (2) From 9:00 a.m. to 9:00 p.m. as allowed by permit
11 pursuant to section 132D-10 if the proposed cultural
12 use is to occur at any time other than during the
13 periods prescribed in paragraph (1);

14 provided that the purchase and setting-off, igniting,
15 discharging, or exploding of not more than 5,000 individual non-
16 aerial common fireworks commonly known as firecrackers shall be
17 allowed under each permit."



1 SECTION 2. Section 132D-9, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§132D-9 Application for permit.** The permit required
4 under section 132D-10 or 132D-16 shall be issued by the county
5 and be nontransferable. The county shall issue all permits for
6 which complete applications have been submitted and which
7 contain only correct information. The permit shall specify the
8 date of issuance or effect and the date of expiration but in no
9 case for a period to exceed one year.

10 The permit for the purchase of, and to set-off, ignite,
11 discharge, or explode non-aerial common fireworks for the
12 purposes of section 132D-3 shall not allow [~~purchase~~] such use
13 for more than one event, as set forth in section 132D-3. The
14 application shall be made on a form setting forth the dates for
15 which the permit shall be valid, the location where the
16 permitted activity is to occur, and the name of the proprietor
17 or, if a partnership, the name of the partnership and the names
18 of all partners or, if a corporation, the name of the
19 corporation and the names of its officers. The permit
20 application may be denied if the proposed use of fireworks
21 presents a substantial inconvenience to the public or presents
22 an unreasonable fire or safety hazard. Any permit issued



1 pursuant to this chapter shall be prominently displayed in
2 public view at the site."

3 SECTION 3. Section 132D-10, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§132D-10 Permits.** A permit shall be required for the
6 purchase of~~[+]~~, and to set-off, ignite, discharge, or otherwise
7 cause to explode within the State:

8 (1) Any non-aerial common fireworks commonly known as
9 firecrackers upon payment of a fee of \$25; and

10 (2) Any aerial common fireworks and any special fireworks
11 for the purposes of section 132D-16."

12 SECTION 4. Section 132D-14, Hawaii Revised Statutes, is
13 amended by amending subsection (a) to read as follows:

14 "(a) Any person:

15 (1) Importing aerial common fireworks or special fireworks
16 without having a valid license under section 132D-7
17 shall be guilty of a class C felony;

18 (2) Purchasing, possessing, setting off or igniting, ~~[or]~~
19 discharging, or exploding aerial common fireworks or
20 special fireworks without a valid permit under
21 ~~[sections]~~ section 132D-10 ~~[and]~~ or 132D-16, or
22 storing, selling, or possessing aerial common

1 fireworks or special fireworks without a valid license
2 under section 132D-7:

3 (A) If the total weight of the aerial common
4 fireworks or special fireworks is twenty-five
5 pounds or more, shall be guilty of a class C
6 felony; or

7 (B) If the total weight of the aerial common
8 fireworks or special fireworks is less than
9 twenty-five pounds, shall be guilty of a
10 misdemeanor.

11 (3) Who transfers or sells aerial common fireworks or
12 special fireworks to a person who does not have a
13 valid permit under sections 132D-10 and 132D-16, shall
14 be guilty of a class C felony; and

15 (4) Who removes or extracts the pyrotechnic contents from
16 any fireworks and uses the contents to construct
17 fireworks or a fireworks related device shall be
18 guilty of a misdemeanor."

19 SECTION 5. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

1 SECTION 6. This Act shall take effect upon its approval.

2

INTRODUCED BY:

A handwritten signature in black ink, appearing to be "J. J. ...", written over a horizontal line.

JAN 24 2006



H.B. NO. 2660

Report Title:

Fireworks; Permits

Description:

Requires a permit to set-off fireworks.

