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## A BILL FOR AN ACT

RELATING TO FIREWORKS.

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

1           SECTION 1. The legislature finds that the personal use of  
2 fireworks in the State is a serious threat to our community's  
3 health, safety, and welfare.

4           While the legislature recognizes the popularity of  
5 fireworks in Hawaii and the cultural and historical significance  
6 to the people of the State, including New Year's, Chinese New  
7 year's, and the Fourth of July celebrations, the legislature  
8 nevertheless finds that the costs of fireworks to society  
9 greatly outweigh any benefits derived from its continued  
10 legalization, at least in more densely crowded areas.

11           The purpose of this Act is to ban all fireworks in counties  
12 with a population of more than five hundred thousand persons.

13           SECTION 2. Section 132D-5, Hawaii Revised Statutes, is  
14 amended to read as follows:

15           "**§132D-5 General prohibitions.** (a) It shall be unlawful  
16 for any person without a permit to:

17           (1) Remove or extract the pyrotechnic contents from any  
18 fireworks;



- 1           (2) Throw any ignited fireworks from a moving vehicle; or
- 2           (3) Set off, ignite, discharge, or otherwise cause to
- 3           explode any fireworks:
- 4           (A) At any time not within the periods for use
- 5           prescribed in section 132D-3, unless permitted
- 6           pursuant to section 132D-10;
- 7           (B) Within one thousand feet from any operating
- 8           hospital, convalescent home, home for the
- 9           elderly, or animal hospital;
- 10          (C) In any school building, or on any school grounds
- 11          and yards without first obtaining authorization
- 12          from appropriate school officials;
- 13          (D) On any highway, alley, street, sidewalk, or other
- 14          public way; in any park; within fifty feet from a
- 15          canefield; or within one thousand feet from any
- 16          building used for public worship during the
- 17          periods when services are held; except as may be
- 18          permitted pursuant to section 132D-10; and
- 19          (E) Within five hundred feet from any hotel.
- 20          (b) It shall be unlawful to purchase consumer fireworks
- 21          more than five calendar days before the time periods for
- 22          permissible use under section 132D-3.



1 (c) It shall be unlawful to sell consumer fireworks after  
2 12:01 a.m. on New Year's Day, 6:00 p.m. on Chinese New Year's  
3 Day, and 8:00 p.m. on the Fourth of July.

4 (d) Notwithstanding any other law to the contrary, it  
5 shall be unlawful to sell, purchase, use, or possess any  
6 fireworks, aerial devices, consumer fireworks, articles  
7 pyrotechnic, or display fireworks in a county with a population  
8 of more than five hundred thousand persons.

9 Any person violating this subsection shall be guilty of a  
10 class C felony."

11 SECTION 3. Statutory material to be repealed is bracketed  
12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.  
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INTRODUCED BY:

T. Stehli  
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JAN 21 2008



**Report Title:**

Fireworks; Prohibition

**Description:**

Bans all fireworks in counties with a population of more than 500,000 persons.

