
A BILL FOR AN ACT

RELATING TO FIREWORKS.

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

1 SECTION 1. Section 132D-14, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§132D-14 Penalty.** (a) Any person:

4 (1) Importing aerial devices, display fireworks, or
5 articles pyrotechnic without having a valid license
6 under section 132D-7 shall be guilty of a class C
7 felony;

8 (2) Purchasing, possessing, setting off, igniting, or
9 discharging aerial devices, display fireworks, or
10 articles pyrotechnic without a valid permit under
11 sections 132D-10 and 132D-16, or storing, selling, or
12 possessing aerial devices, display fireworks, or
13 articles pyrotechnic without a valid license under
14 section 132D-7:

15 (A) If the total weight of the aerial devices,
16 display fireworks, or articles pyrotechnic is
17 twenty-five pounds or more, shall be guilty of a
18 class C felony; or



1 (B) If the total weight of the aerial devices,
2 display fireworks, or articles pyrotechnic is
3 less than twenty-five pounds, shall be guilty of
4 a misdemeanor;

5 (3) Who transfers or sells aerial devices, display
6 fireworks, or articles pyrotechnic to a person who
7 does not have a valid permit under sections 132D-10
8 and 132D-16, shall be guilty of a class C felony; and

9 (4) Who removes or extracts the pyrotechnic contents from
10 any fireworks or articles pyrotechnic and uses the
11 contents to construct fireworks, articles pyrotechnic,
12 or a fireworks or articles pyrotechnic related device
13 shall be guilty of a misdemeanor.

14 (b) Any property or premises on which a violation of
15 subsection (a) (2) (A) occurs may be ordered forfeited to the
16 State subject to the requirements of chapter 712A;

17 (c) Any vehicle, vessel, or aircraft used in a violation
18 of subsection (a) (3) may be ordered forfeited to the State
19 subject to the requirements of chapter 712A if the total weight
20 of the aerial devices, display fireworks, or articles
21 pyrotechnic is twenty-five pounds or more.



1 ~~(b)~~ (d) Except as provided in subsection (a) or as
2 otherwise specifically provided for in this chapter, any person
3 violating any other provision of this chapter, shall be fined
4 not more than \$2,000 for each violation.

5 ~~(e)~~ (e) The court shall collect the fines imposed in
6 subsections (a) and ~~(b)~~ (d) for violating this chapter and of
7 the fines collected shall pay twenty per cent to the State and
8 eighty per cent to the county in which the fine was imposed
9 which shall be expended by the county for law enforcement
10 purposes.

11 (f) Any premises or property forfeited under subsection
12 (b) or vehicle, vessel, or aircraft forfeited under subsection
13 (c) shall be sold and all proceeds from the sale of the
14 premises, property, vehicle, vessel, or aircraft shall be paid
15 to the county in which the violation occurred which shall be
16 expended by the county for law enforcement purposes."

17 SECTION 2. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 3. This Act shall take effect upon its approval.

20

INTRODUCED BY: 

JAN 22 2008



Report Title:

Fireworks

Description:

Allows for the forfeiture of vehicles or property used in the sale or setting off of illegal fireworks.

