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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 consumers illegally  
2 obtaining display fireworks, articles pyrotechnic, and aerial  
3 devices are violating state law.

4           The purpose of this Act is to provide to the counties with  
5 more authority to enforce and administer the state fireworks  
6 control law.

7           SECTION 2. Section 132D-2, Hawaii Revised Statutes, is  
8 amended by adding a new definition to be appropriately inserted  
9 and to read as follows:

10           "Carrier" means an individual or company engaged in  
11 transporting passengers or goods for profit."

12           SECTION 3. Section 132D-2, Hawaii Revised Statutes, is  
13 amended by amending the definition of "Display fireworks" to  
14 read as follows:

15           "Display fireworks" means any fireworks designed primarily  
16 for exhibition display by producing visible or audible effects  
17 and classified as display fireworks or contained in the  
18 regulations of the United States Department of Transportation



1 and designated as UN0333, UN0334, ~~[e]~~ UN0335, and includes  
2 salutes containing more than two grains (one hundred and thirty  
3 milligrams) of explosive materials, aerial shells containing  
4 more than forty grams of pyrotechnic compositions, and other  
5 display pieces which exceed the limits of explosive materials  
6 for classification as "consumer fireworks". This term also  
7 includes fused setpieces containing components, which together  
8 exceed fifty milligrams of salute power. The use of display  
9 fireworks shall be prohibited for use by any person who does not  
10 have a display permit issued by a county."

11 SECTION 4. Section 132D-5, Hawaii Revised Statutes, is  
12 amended by amending subsection (a) to read as follows:

13 "§132D-5 **General prohibitions.** (a) It shall be unlawful  
14 for any person ~~[without a permit]~~ to:

15 (1) Remove or extract the pyrotechnic contents from any  
16 fireworks;

17 (2) Throw any ignited fireworks from a moving vehicle; or

18 (3) Set off, ignite, discharge, or otherwise cause to  
19 explode any fireworks:

20 (A) At any time not within the periods for use  
21 prescribed in section 132D-3, unless permitted  
22 pursuant to section 132D-10;



- 1 (B) Within one thousand feet from any operating
- 2 hospital, convalescent home, home for the
- 3 elderly, or animal hospital;
- 4 (C) In any school building, or on any school grounds
- 5 and yards without first obtaining authorization
- 6 from appropriate school officials;
- 7 (D) On any highway, alley, street, sidewalk, or other
- 8 public way; in any park; within fifty feet from a
- 9 canefield; or within one thousand feet from any
- 10 building used for public worship during the
- 11 periods when services are held; except as may be
- 12 permitted pursuant to section 132D-10; and
- 13 (E) Within five hundred feet from any hotel; except
- 14 as may be permitted pursuant to section 132D-10.

15 SECTION 5. Section 132D-12, Hawaii Revised Statutes, is  
16 amended to read as follows:

17 "§132D-12 Sale to minors. It shall be unlawful for any  
18 person to offer for sale, sell, or give any fireworks or  
19 articles pyrotechnic to minors, and for any minor to offer for  
20 sale, sell, possess, purchase, or set off, ignite, or otherwise  
21 cause to explode any fireworks or articles pyrotechnic, except  
22 as provided in section 132D-13."



1 SECTION 6. Section 132D-20, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§132D-20 Enforcement. (a) This chapter shall be  
4 enforced by each county. The counties are authorized to enforce  
5 and administer [~~the provisions of~~] this chapter.

6 (b) Upon request from an auditor of fireworks, a carrier  
7 will provide shipper and manifest information. A carrier  
8 refusing to provide shipper and manifest information shall be  
9 fined not more than \$5,000."

10 SECTION 7. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12 SECTION 8. This Act shall take effect upon its approval.

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**Report Title:**

Fireworks Control Law; Enforcement

**Description:**

Amends provisions of the of the fireworks control law to provide the counties more authority for enforcement.

