
A BILL FOR AN ACT

RELATING TO FIREWORKS.

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

1 SECTION 1. The purpose of this Act is to correct
2 definitions, correct language under general prohibitions, and
3 clarify the minimum age to sell fireworks.

4 SECTION 2. Section 132D-2, Hawaii Revised Statutes, is
5 amended by amending the definition of "display fireworks" to
6 read as follows:

7 "Display fireworks" means any fireworks designed primarily
8 for exhibition display by producing visible or audible effects
9 and classified as display fireworks or contained in the
10 regulations of the United States Department of Transportation
11 and designated as UN0333, UN0334, or UN0335, and includes
12 salutes containing more than two grains (one hundred and thirty
13 milligrams) of explosive materials, aerial shells containing
14 more than forty grams of pyrotechnic compositions, and other
15 display pieces which exceed the limits of explosive materials
16 for classification as "consumer fireworks". This term also
17 includes fused setpieces containing components, which together
18 exceed fifty milligrams of salute power. The use of display



1 fireworks shall be prohibited for use by any person who does not
2 have a display permit issued by a county."

3 SECTION 3. Section 132D-5, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) It shall be unlawful for any person without a permit
6 issued under section 132D-10 by a county fire department to:

7 (1) Remove or extract the pyrotechnic contents from any
8 fireworks;

9 (2) Throw any ignited fireworks [~~from a moving vehicle,~~
10 ~~or~~];

11 (A) At or into a vehicle;

12 (B) At a person or animal; or

13 (C) From above the first floor of any building;

14 or

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

17 (A) Above the first floor of any building;

18 (B) In any vehicle;

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



1 [-(B)-] (D) Within one thousand feet [~~from~~] of any
 2 operating hospital, licensed convalescent home,
 3 licensed home for the elderly, zoo, licensed
 4 animal shelter, or animal hospital;

5 [-(C)-] (E) In any school building, or on any school
 6 grounds and yards without first obtaining
 7 authorization from appropriate school officials;

8 [-(D)-] (F) On any highway, alley, street, sidewalk, or
 9 other public way; in any park; on any public
 10 beach; in any officially designated forests or
 11 wildlife preserves; within fifty feet from a
 12 canefield; or within one thousand feet from any
 13 building used for public worship during the
 14 periods when services are held; [~~except as may be~~
 15 ~~permitted pursuant to section 132D-10,~~] and

16 [-(E)-] (G) Within five hundred feet [~~from~~] of any
 17 hotel."

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

20 "**§132D-10 Permits.** A permit shall be required for the
 21 purchase and use of:



1 (1) Any consumer fireworks commonly known as firecrackers
2 upon payment of a fee of \$25; [~~and~~]

3 (2) Any consumer fireworks for the purposes of section
4 132D-5 or for cultural uses that occur at any time
5 other than during the periods prescribed in section
6 132D-3(1) upon a payment of a fee of \$25; and

7 [~~+2~~] (3) Any aerial devices, display fireworks, or
8 articles pyrotechnic for the purposes of section
9 132D-16 upon payment of a fee of \$110."

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

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

18 SECTION 6. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 7. This Act shall take effect upon its approval.



Report Title:

Fireworks

Description:

Clarifies what firework activities require a permit to be lawful, the distance that fireworks can be ignited from certain structures, and that minors are prohibited from selling fireworks; amends the definition of "display fireworks". (SD2)

