

JAN 18 2008

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 a
2 definition, correct language under general prohibitions, and to
3 make clear 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~~
6 ~~permit~~] to:

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

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

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

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

15 (B) Within one thousand feet from any operating
16 hospital, convalescent home, home for the
17 elderly, or animal hospital;

18 (C) In any school building, or on any school grounds
19 and yards without first obtaining authorization
20 from appropriate school officials;

21 (D) On any highway, alley, street, sidewalk, or other
22 public way; in any park; within fifty feet from a



1 canefield; or within one thousand feet from any
 2 building used for public worship during the
 3 periods when services are held; except as may be
 4 permitted pursuant to section 132D-10; and

5 (E) Within five hundred feet from any hotel~~[+]~~,
 6 except as permitted pursuant to section 132D-10."

7 SECTION 4. Section 132D-12, Hawaii Revised Statutes, is
 8 amended to read as follows:

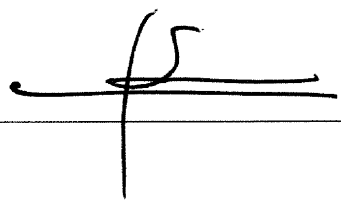
9 "**§132D-12 Sale to minors.** It shall be unlawful for any
 10 person to offer for sale, sell, or give any fireworks or
 11 articles pyrotechnic to minors, and for any minor to possess,
 12 purchase, ~~[or]~~ sell, set off, ignite, or otherwise cause to
 13 explode any fireworks or articles pyrotechnic, except as
 14 provided in section 132D-13."

15 SECTION 5. Statutory material to be repealed is bracketed
 16 and stricken. New statutory material is underscored.

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

18

INTRODUCED BY:



By Request



Report Title:

Fireworks; Housekeeping Changes

Description:

Redefines "display fireworks" to include display fireworks designated as UN0334 by the United States Department of Transportation. Eliminates permits for acts that are generally prohibited. Authorizes the setting off of fireworks within 500 feet of a hotel if done by permit. Prohibits minors from selling fireworks.

