

Honolulu, Hawaii

FEB 15 2008

RE: S.B. No. 2554
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Public Safety, to which was referred S.B. No. 2554 entitled:

"A BILL FOR AN ACT RELATING TO FIREWORKS,"

begs leave to report as follows:

The purpose of this measure is to make law relating to the use and sale of fireworks.

Specifically, the measure:

- (1) Amends the definition of "display fireworks" to include an additional classification of display fireworks;
- (2) Clarifies that:
 - (A) Removing or extracting pyrotechnic contents from any fireworks; and
 - (B) Throwing ignited fireworks from a moving vehicle;shall be illegal regardless of whether a person holds a fireworks permit;
- (3) Requires that a fireworks permit be obtained to set off, ignite, discharge, or otherwise cause to explode fireworks within five hundred feet of a hotel; and
- (4) Prohibits minors from selling fireworks.



Testimony in support of this measure was submitted by the Department of Labor and Industrial Relations, the County of Maui Department of Fire and Public Safety, the County of Kauai Fire Department, and the Legislative Information Services of Hawaii.

Your Committee finds that, generally, it should be unlawful to extract pyrotechnic contents or throw ignited fireworks from a moving vehicle. However, there are certain instances where such activities are warranted. For example, a movie company that is filming a scene involving fireworks used in the manner above would be engaging in unlawful conduct even if they acquired a permit.

Accordingly, your Committee has amended this measure by:

- (1) Keeping the current law regarding general prohibitions on the use of fireworks as it remains to allow certain activities that concern fireworks to be engaged in with a permit; and
- (2) Adding language that makes it unlawful to throw ignited fireworks from or at a moving vehicle or at a person or animal without a permit.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2554, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2554, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,




WILL ESPERO, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Public Safety
PBS

Bill / Resolution No.:* SB 2554	Committee Referral: PBS, JDL	Date: 2/12/08		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
NISHIHARA, Clarence K. (VC)				✓
SAKAMOTO, Norman	✓			
WHALEN, Paul	✓			
TOTAL	3	-	-	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes