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## A BILL FOR AN ACT

RELATING TO WILDFIRE MANAGEMENT.

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

1           SECTION 1. Chapter 46, Hawaii Revised Statutes, is amended  
2 by adding a new section to be appropriately designated and to  
3 read as follows:

4           "§46-       Wildfire management; fireworks prohibited zone.

5           To promote wildfire management, each county, by enactment of an  
6           ordinance, may grant the county's fire chief the authority to  
7           declare, on an ad hoc basis, a geographic area or areas within  
8           the county's jurisdiction a fireworks prohibited zone in which  
9           no fireworks or articles pyrotechnic, as those terms are defined  
10           in section 132D-1, may be used for a designated period of time.  
11           The county's fire chief shall declare an area a fireworks  
12           prohibited zone at least            hours prior to the start of any  
13           authorized use of fireworks or articles pyrotechnic under  
14           chapter 132D, after first determining that conditions in the  
15           area are such that the use of fireworks or articles pyrotechnic  
16           constitutes a fire hazard and poses a substantial risk to the  
17           public."



1 SECTION 2. Section 132D-17, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "**§132D-17 Inconsistent county ordinances, rules.**

4 [~~Notwithstanding~~] Except for section 46- , notwithstanding any  
5 other law to the contrary, no county shall enact ordinances or  
6 adopt any rules regulating fireworks or articles pyrotechnic,  
7 except as required in this chapter, that is inconsistent with or  
8 more restrictive than, the provisions of this chapter. Any  
9 ordinances and rules regulating fireworks or articles  
10 pyrotechnic that were enacted or adopted by a county before  
11 March 31, 1995, except those provisions [~~which~~] that are not  
12 inconsistent with, or more restrictive than, those of this  
13 chapter[~~7~~] are declared void."

14 SECTION 3. Statutory material to be repealed is bracketed  
15 and stricken. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Wildfire Management; Fireworks Prohibited Zones

**Description:**

Allows counties to enact ordinances to authorize county fire chiefs to declare, at least        hours before authorized start of fireworks use, a geographic area or areas a fireworks prohibited zone for a period of time, if such use constitutes a fire hazard and poses substantial risk to the public. (HB2466 HD1)





**LEGISLATIVE INFORMATION SERVICES OF HAWAII**

820 Mililani St., Suite 810

HONOLULU, HI 96813

PH: 533-6750 FAX: 599-2606 www.lish.info lishawaii@aol.com

January 31, 2008

To: House Committee on Public Safety & Military Affairs  
Rep. Cindy Evans, Chair / Rep. Sharon E. Har, Vice Chair

By: Richard C. Botti, President or Lauren Zirbel, Gov't Relations

Re: HB 2466 PROPOSED HD1 – RELATING TO WILDFIRE MANAGEMENT

We recognize that we have a new type of arsonist that somehow gets pleasure in starting fires in rural areas, creating a great danger for everyone.

Rather than providing discretion where an individual within the fire department makes a judgment call, we would support adding the following language to the current prohibition of locations where fireworks may be set off:

- State forests;
- Wild life reserves; and
- State and County parks.