



LEGISLATIVE INFORMATION SERVICES OF HAWAII

820 Miiilani St., Suite 810

HONOLULU, HI 96813

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

Monday, February 04, 2008

To: House Committee on Tourism & Culture
Rep. Ryan I. Yamane, Chair / Rep. Joey Manahan, Vice Chair

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

Re: HB 2719 RELATING TO FIREWORKS.

We oppose HB 2719.

We have been there and done that. The law used to allow the counties to have home rule, and we had four different ordinances, creating adverse situations.

Fireworks are one of the few exceptions where home rule does not work. We need to have one law for the entire state to eliminate the practice of fireworks that would be legal on one county being transported to another county where they are illegal.

The existing law became effective in 1995, and has substantially reduced the practice where people would import fireworks that were legal on the Big Island, then they would show up elsewhere in the state where they were not legal. Along with this change aerial fireworks became illegal statewide. Also at the same time, it became illegal to sell, use, or setoff any consumer fireworks that went higher or wider than twelve feet.

It is a Class C Felony to import illegal aerial fireworks. Because of the demand and profits involved, some people are willing to take the chance. Enforcement is catching up with them, and the publicity is making an impact. If one county were to become more restrictive than current law, there would be a movement where legal fireworks in one county would encourage people to bring them to another county where they were illegal. The problem is that enforcement would be hampered because the threshold that now makes it a felony can be avoided.

At a recent meeting with representatives of the US DOT, BATF, and Consumer Product Safety Commission agreement was that it would be almost impossible to enforce the law unless there is a single standard.