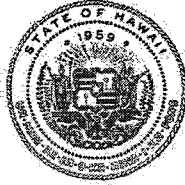


Linda Lingle
Governor



Darwin L.D. Ching
Director

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
State Fire Council
830 Punchbowl Street
Honolulu, Hawaii 96813

February 7, 2008

The Honorable Will Espero, Chair
Committee on Public Safety
The State Senate
State Capitol, Room 207
Honolulu, Hawaii 96813

Dear Chair Espero:

Subject: S.B. 2554 Relating to Fireworks

I am Kenneth Silva, Chair of the State Fire Council (SFC) and Fire Chief of the Honolulu Fire Department (HFD). The SFC and the HFD support S.B. 2554, which amends the definition of display fireworks; clarifies that fireworks may not be used within 500 feet of a hotel, unless permitted; and clarifies that minors are prohibited from selling fireworks. S.B. 2554 would greatly assist in the enforcement and regulation of the fireworks control law.

The SFC and the HFD request your committee's support on the passage of S.B. 2554.

Should you have any questions, please call SFC Legislative Liaison Lloyd Rogers at 723-7173.

Sincerely,

KENNETH G. SILVA
Chair

KGS/LR:cn

CHARMAINE TAVARES
MAYOR



NEAL A. BAL
Interim Chief

COUNTY OF MAUI
DEPARTMENT OF FIRE AND PUBLIC SAFETY

200 DAIRY ROAD
KAHULUI, MAUI, HAWAII 96732
(808) 270-7561
FAX (808) 270-7919
February 6, 2007

The Honorable Will Espero, Chair
Committee on Public Safety
State Senate
State Capitol, Room 207
Honolulu, Hawaii 96813

Dear Chair Espero:

SUBJECT: S.B. 2554 - RELATING TO FIREWORKS

I am Neal A. Bal, Interim Fire Chief of the County of Maui, Department of Fire and Public Safety, and a member of the State Fire Council (SFC). Our Department supports S.B. 2554, which amends the definition of display fireworks; clarifies that fireworks may not be used within 500 feet of a hotel, unless permitted; and clarifies that minors are prohibited from selling fireworks. S.B. 2554 would greatly assist in the enforcement and regulation of the fireworks control law.

The Maui County, Department of Fire and Public Safety support this Bill and requests for your committee's support on the passage of S.B. 2554.

Should you have any questions, please call me at (808) 270-7561. Thank you for your support to this request.

Sincerely,

Handwritten signature of Neal A. Bal in black ink.
NEAL A. BAL
Interim Fire Chief

NAB:rgkm

Bryan J. Baptiste
Mayor

Robert F. Westerman
Fire Chief

John T. Blalock
Deputy Fire Chief



COUNTY OF KAUAI
Fire Department
Mo'ikeha Building
4444 Rice Street, Suite 295
Lihu'e, Kauai, Hawaii 96766

February 11, 2007

The Honorable Will Espero, Chair
Committee on Public Safety
State Senate
State Capitol, Room 207
Honolulu, Hawaii 96813

Dear Chair Espero:

SUBJECT: S.B. 2554 - RELATING TO FIREWORKS

I am Robert F. Westerman, Fire Chief of the Kauai Fire Department (KFD) and member of the State Fire Council (SFC). The KFD supports S.B. 2554, which amends the definition of display fireworks; clarifies that fireworks may not be used within 500 feet of a hotel, unless permitted; and clarifies that minors are prohibited from selling fireworks. S.B. 2554 would greatly assist in the enforcement and regulation of the fireworks control law.

The KFD and the SFC requests your committee's support on the passage of S.B. 2554.

Should you have any questions, please call me at 241-6500.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert F. Westerman', is written over a horizontal line.

Robert F. Westerman
Fire Chief

RFW/cz



LEGISLATIVE INFORMATION SERVICES OF HAWAII

820 Miliiani St., Suite 810
HONOLULU, HI 96813
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February 12, 2008

To: Senate Committee on Public Safety
Senator Will Espero, Chair / Senator Clarence K. Nishihara, Vice Chair

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

Re: SB 2554 RELATING TO FIREWORKS.

Chairs & Committee Members:

We support the addition of UN0334 on line 11 of page 1. This is a needed improvement to the existing law.

However, we do not support the deletion of "without a permit" on lines 5 and 6. The fire department of any county is authorized to issue fireworks permits for specific purposes. A permit is always required to purchase firecrackers. Again, a fire department can, at its discretion, issue a permit for the purposes in 132D-5 (a)(1) through 132D-5(a)(3)(E). If, in its discretion, it does not issue that permit—and presumably it would refuse to issue that permit in the interest of public health and safety—then the proposed activity would never be legal. Therefore, for example, under the existing language, a fire department could issue a permit to remove or extract the pyrotechnic contents from a fireworks item or it could issue a permit for a movie company to throw fireworks from a moving vehicle. If the words "without a permit" are removed, no fire department could ever issue that limited permit for that very specific and limited purpose. Therefore, we think the current language should be maintained.

Mr. Chairman, we would additionally recommend the addition of a few words to 132D-5 (a)(2) to make it better: (1) after "from" add "or at" and after "vehicle" add "or at a person or animal".

Finally, we support the addition of "sell" in Section 4 to 132D-12. This clarification brings Hawaii's fireworks law into conformance with federal and Hawaii state worker safety requirements. OSHA has ruled that no minor may be paid to work in a location where hazardous materials are stored or sold.

Thank you for the opportunity to testify on this important piece of legislation.