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## A BILL FOR AN ACT

RELATING TO FIREWORKS.

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

1 SECTION 1. The legislature finds that consumers illegally  
2 obtaining display fireworks, articles pyrotechnic, and aerial  
3 devices are violating state law.

4 The purpose of this Act is to provide to the counties with  
5 more authority to enforce and administer the state fireworks  
6 control law.

7 SECTION 2. Section 132D-2, Hawaii Revised Statutes, is  
8 amended by adding a new definition to be appropriately inserted  
9 and to read as follows:

10 "Carrier" means an individual or company engaged in  
11 transporting passengers or goods for profit."

12 SECTION 3. Section 132D-5, Hawaii Revised Statutes, is  
13 amended to read as follows:

14 **"§132D-5 General prohibitions.** (a) It shall be unlawful  
15 for any person [~~without a permit issued under section 132D-10 by~~  
16 ~~a county fire department~~] to:

17 (1) Remove or extract the pyrotechnic contents from any  
18 fireworks;



- 1           (2) Throw any ignited fireworks:
- 2                (A) From, at, or into a vehicle;
- 3                (B) At a person or an animal; and
- 4                (C) From above the first floor of any building; or
- 5           (3) Set off, ignite, discharge, or otherwise cause to
- 6                explode any fireworks:
- 7                (A) Above the first floor of any building;
- 8                (B) In any vehicle;
- 9                (C) At any time not within the periods for use
- 10               prescribed in section 132D-3;
- 11               (D) Within one thousand feet of any operating
- 12               hospital, licensed convalescent home, licensed
- 13               home for the elderly, zoo, licensed animal
- 14               shelter, or licensed animal hospital;
- 15               (E) In any school building, or on any school grounds
- 16               and yards without first obtaining authorization
- 17               from appropriate school officials;
- 18               (F) On any highway, alley, street, sidewalk, or other
- 19               public way; in any park; on any public beach; in
- 20               any officially designated forest or wildlife
- 21               preserve; within fifty feet of a canefield; or
- 22               within one thousand feet of any building used for



1 public worship during the periods when services  
2 are held; and

3 (G) Within five hundred feet of any hotel; except as  
4 may be permitted pursuant to section 132D-10.

5 (b) It shall be unlawful to purchase consumer fireworks  
6 more than five calendar days before the time periods for  
7 permissible use under section 132D-3.

8 (c) It shall be unlawful to sell consumer fireworks after  
9 12:01 a.m. on New Year's Day, 6:00 p.m. on Chinese New Year's  
10 Day, and 8:00 p.m. on the Fourth of July."

11 SECTION 4. Section 132D-20, Hawaii Revised Statutes, is  
12 amended to read as follows:

13 "**§132D-20 Enforcement.** (a) This chapter shall be  
14 enforced by each county. The counties are authorized to enforce  
15 and administer [~~the provisions of~~] this chapter.

16 (b) Upon request from an auditor of fireworks, a carrier  
17 will provide shipper and manifest information. A carrier  
18 refusing to provide shipper and manifest information shall be  
19 fined not more than \$5,000."

20 SECTION 5. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.

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



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INTRODUCED BY:



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**Report Title:**

Fireworks Control Law; Enforcement

**Description:**

Amends provisions of the of the fireworks control law to provide the counties more authority for enforcement.

