
A BILL FOR AN ACT

RELATING TO FIREWORKS.

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

1 SECTION 1. Section 132D-7, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§132D-7 License or permit required[-]; prima facie**
4 **evidence of possession.** (a) A person shall not:

5 (1) Import, store, offer to sell, or sell, at wholesale or
6 retail, aerial devices, display fireworks, articles
7 pyrotechnic, or consumer fireworks unless the person
8 has a valid license issued by the county; or

9 (2) Possess aerial devices, display fireworks, or articles
10 pyrotechnic without a valid license to import, store,
11 or sell aerial devices, display fireworks, or articles
12 pyrotechnic, or a valid display permit as provided for
13 in this chapter.

14 (b) The presence of any aerial device, display firework,
15 or articles pyrotechnic or portion thereof on a property,
16 regardless of whether the aerial device, display firework, or
17 articles pyrotechnic or portion thereof was set off, ignited, or
18 otherwise caused to explode, is prima facie evidence of

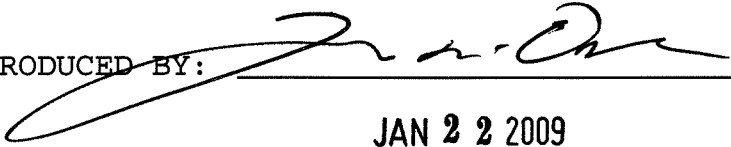


1 possession of an aerial device, display firework, or articles
2 pyrotechnic by each and every person on the property at the time
3 the item was found."

4 SECTION 2. This Act does not affect rights and duties that
5 matured, penalties that were incurred, and proceedings that were
6 begun, before its effective date.

7 SECTION 3. This Act shall take effect on November 1, 2009.

8

INTRODUCED BY: 
JAN 22 2009



Report Title:

Fireworks

Description:

Provides that the presence of any exploded or unexploded aerial device, display firework or articles pyrotechnic, or portion thereof on a property is prima facie evidence of possession of the aerial device, display firework, or articles pyrotechnic by every person on the property at the time the aerial device, display firework, or articles pyrotechnic is found.

