
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 the effects of
2 fireworks have long been a problem in the State. Efforts to
3 control the problem have been met with limited success with
4 virtually no change over the past several years.

5 The purpose of this Act is to address the problem of
6 fireworks by banning its use during the Fourth of July holiday
7 and to narrowly extend the cultural use of fireworks to civic
8 and community organizations.

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

12 "Civic or community organization" means an organization
13 such as a condominium association, town association, or a
14 chamber of commerce. Civic or community organization also
15 includes:

16 (1) An organization that owns the real property under
17 which consumer fireworks will be properly used by the
18 organization; and



1 (2) Six or more residential property owners who live next
2 to each other; provided that the outer boundaries of
3 the properties form a square that contains all of the
4 properties."

5 SECTION 3. Section 132D-2, Hawaii Revised Statutes, is
6 amended by amending the definition of "cultural" to read as
7 follows:

8 "Cultural" means relating to the arts, customs, traditions,
9 mores, and history of all of the various groups of Hawaii[-] and
10 includes the activities of civic and community organizations."

11 SECTION 4. Section 132D-3, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "§132D-3 Permissible uses of consumer fireworks. Consumer
14 fireworks may be set off, ignited, discharged, or otherwise
15 caused to explode within the State only:

16 (1) From 9:00 p.m. on New Year's Eve to 1:00 a.m. on New
17 Year's Day[+] and from 7:00 a.m. to 7:00 p.m. on
18 Chinese New Year's Day[+ ~~and from 1:00 p.m. to 9:00~~
19 ~~p.m. on the Fourth of July~~]; or

20 (2) From 9:00 a.m. to 9:00 p.m. as allowed by permit
21 pursuant to section 132D-10 if the proposed cultural



1 use is to occur at any time other than during the
2 periods prescribed in paragraph (1);
3 provided that the purchase of not more than five thousand
4 individual consumer fireworks commonly known as firecrackers
5 shall be allowed under each permit."

6 SECTION 5. Section 132D-5, Hawaii Revised Statutes, is
7 amended by amending subsection (c) to read as follows:

8 "(c) It shall be unlawful to sell consumer fireworks after
9 12:01 a.m. on New Year's Day[~~7~~] and 6:00 p.m. on Chinese New
10 Year's Day [~~7 and 8:00 p.m. on the Fourth of July~~]."

11 SECTION 6. Section 132D-9, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "The permit required under section 132D-10 or 132D-16 shall
14 be issued by the county or its authorized designees and shall
15 not be [~~nontransferable~~] transferable. The county or its
16 authorized designees shall issue all permits for which complete
17 applications have been submitted and which contain only correct
18 information.

19 The permit shall specify the date of issuance or effect and
20 the date of expiration but in no case for a period to exceed one
21 year. The permit for the purchase of consumer fireworks for the
22 purposes of section 132D-3 shall not allow purchase for more



1 than one event as set forth in section 132D-3. The application
 2 shall be made on a form setting forth the specific occasion,
 3 dates, and times for which the permit shall be valid, the
 4 specific location where the permitted activity is to occur, and
 5 the name of the proprietor of the event or occasion or, if a
 6 partnership, the name of the partnership and the names of all
 7 partners or, if a corporation, the name of the corporation and
 8 the names of its officers."

9 SECTION 7. This Act does not affect rights and duties that
 10 matured, penalties that were incurred, and proceedings that were
 11 begun, before its effective date.

12 SECTION 8. Statutory material to be repealed is bracketed
 13 and stricken. New statutory material is underscored.

14 SECTION 9. This Act shall take effect upon its approval.

15

INTRODUCED BY:



JAN 27 2010



Report Title:

Fireworks; Partial Ban; Fourth of July

Description:

Bans the use of consumer fireworks on the fourth of July. Defines the term "civic or community organization" and refines the term "cultural" to include civic and community organizations.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

