

---

---

# A BILL FOR AN ACT

RELATING TO ENFORCEMENT.

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

1           SECTION 1. Section 132D-14, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "§132D-14 Penalty. (a) Any person:

4           (1) Importing aerial devices, display fireworks, or  
5 articles pyrotechnic without having a valid license  
6 under section 132D-7 shall be guilty of a class C  
7 felony;

8           (2) Purchasing, possessing, setting off, igniting, or  
9 discharging aerial devices, display fireworks, or  
10 articles pyrotechnic without a valid permit under  
11 sections 132D-10 and 132D-16, or storing, selling, or  
12 possessing aerial devices, display fireworks, or  
13 articles pyrotechnic without a valid license under  
14 section 132D-7:

15           (A) If the total weight of the aerial devices,  
16 display fireworks, or articles pyrotechnic is  
17 twenty-five pounds or more, shall be guilty of a



1 class C felony[+] and fined \$1,500, plus \$100 per  
2 each illegal item possessed, if any; or

3 (B) If the total weight of the aerial devices,  
4 display fireworks, or articles pyrotechnic is  
5 less than twenty-five pounds, shall be guilty of  
6 a misdemeanor[+] and fined \$500, plus \$100 per  
7 each illegal item possessed, if any;

8 (3) Who transfers or sells aerial devices, display  
9 fireworks, or articles pyrotechnic to a person who  
10 does not have a valid permit under sections 132D-10  
11 and 132D-16, shall be guilty of a class C felony; and

12 (4) Who removes or extracts the pyrotechnic contents from  
13 any fireworks or articles pyrotechnic and uses the  
14 contents to construct fireworks, articles pyrotechnic,  
15 or a fireworks or articles pyrotechnic related device  
16 shall be guilty of a [~~misdemeanor.~~] class C felony and  
17 fined \$5,000 for each violation.

18 (b) Except as provided in subsection (a) or (d) or as  
19 otherwise specifically provided for in this chapter, any person  
20 violating any other provision of this chapter, shall be fined  
21 not [~~more~~] less than [~~\$2,000~~] \$ \_\_\_\_\_ for each violation.



1 (c) The court shall collect the fines imposed in  
2 subsections (a) [~~and~~], (b), and (d) for violating this chapter  
3 and [~~of the fines collected shall pay twenty per cent to the~~  
4 ~~State and eighty per cent to~~] deposit the proceeds to the credit  
5 of the county in which the fine was imposed, which shall be  
6 expended by the county for law enforcement purposes.

7 (d) Any person who commits a violation enumerated in this  
8 section that occurs outside the designated dates and times  
9 specified in section 132D-3 or a date or time specified in a  
10 permit for display under section 132D-16, shall be guilty of a  
11 class C felony, irrespective of the weight of the fireworks that  
12 resulted in the penalty, and shall be fined \$10,000 for each  
13 violation."

14 SECTION 2. This Act does not affect rights and duties that  
15 matured, penalties that were incurred, and proceedings that were  
16 begun before its effective date.

17 SECTION 3. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19 SECTION 4. This Act shall take effect on January 1, 2112.



**Report Title:**

Fireworks; Penalties

**Description:**

Establishes fireworks-related fines and penalties. Effective January 1, 2112. (HB2778 HD1)

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

