
A BILL FOR AN ACT

RELATING TO FIREWORKS.

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

1 SECTION 1. Section 132D-2, Hawaii Revised Statutes, is
2 amended by amending the definition of "cultural" to read as
3 follows:

4 "\"Cultural\" means relating to the arts, customs,
5 traditions, mores, and history of all of the various ethnic
6 groups of Hawaii[-] and includes religious events held in the
7 State."

8 SECTION 2. Section 132D-3, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "**§132D-3 Permissible uses of consumer fireworks.** Consumer
11 fireworks may be set off, ignited, discharged, or otherwise
12 caused to explode within the State only:

13 (1) From 9:00 p.m. on New Year's Eve to 1:00 a.m. on New
14 Year's Day; from 7:00 a.m. to 7:00 p.m. on Chinese New
15 Year's Day; and from 1:00 p.m. to 9:00 p.m. on the
16 Fourth of July; or

1 (2) From 9:00 a.m. to 9:00 p.m. as allowed by permit
2 pursuant to section 132D-10 if the proposed cultural
3 use is to occur at any time other than during the
4 periods prescribed in paragraph (1) [~~+~~
5 ~~provided that the purchase of not more than five thousand~~
6 ~~individual consumer fireworks commonly known as firecrackers~~
7 ~~shall be allowed under each permit]."~~

8 SECTION 3. Section 132D-10, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "~~§132D-10~~ **Permits.** (a) [A] Except as provided in
11 subsection (b), a permit shall be required for the purchase and
12 use of:

- 13 (1) Any consumer fireworks [~~commonly known as~~
14 ~~firecrackers~~] upon payment of a fee of [~~\$25+~~] \$;
- 15 (2) Any aerial devices, display fireworks, or articles
16 pyrotechnic for the purposes of section 132D-16 upon
17 payment of a fee of [~~\$110+~~] \$; and
- 18 (3) Any consumer fireworks for the purposes of section
19 132D-5 or for cultural uses that occur at any time
20 other than during the periods prescribed in section
21 132D-3(1) upon a payment of a fee of [~~\$25+~~] \$.

1 (b) The purchase of more than \$25 worth of consumer
2 fireworks under paragraphs (1) or (3) shall require the payment
3 of the following surcharge fees:

<u>Fireworks purchase of:</u>	<u>Fee:</u>
5 <u>More than \$25, but less than \$100</u>	\$ <u> </u> ;
6 <u>At least \$100, but less than \$150</u>	\$ <u> </u> ;
7 <u>At least \$150, but less than \$200</u>	\$ <u> </u> ; and
8 <u>\$200 or more</u>	\$ <u> </u> .

9 (c) Only one permit shall be issued per person under
10 subsection (a) (1) or (a) (3) and the purchase of not more than
11 five thousand individual consumer fireworks commonly known as
12 firecrackers shall be allowed for each permit issued.

13 (d) Fees collected under this section shall be credited to
14 the county that collected the fee to defray expenses associated
15 with enforcement of this chapter."

16 SECTION 4. Section 132D-14, Hawaii Revised Statutes, is
17 amended by amending subsections (b) and (c) to read as follows:

18 "(b) Except as provided in subsection (a) or as otherwise
19 specifically provided for in this chapter, any person violating
20 any other provision of this chapter, shall be fined not more
21 than [~~\$2,000~~] \$10,000 for each violation.

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

7 SECTION 5. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 6. This Act shall take effect on July 1, 2050.

10

Report Title:

Fireworks; Permit Fees

Description:

Clarifies definition of "cultural" to include religious events held in the State. Increases fireworks permit fees. Dedicates fireworks permit fees to counties for law enforcement purposes. Increases fines for violation. Effective 7/1/2050. (SD1)

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