
A BILL FOR AN ACT

RELATING TO FIREWORKS.

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

- 1 SECTION 1. Chapter 132D, Hawaii Revised Statutes, is
2 amended by adding four new sections to be appropriately
3 designated and to read as follows:
- 4 "§132D- Requirements of shipping companies. Any
5 shipping company that receives fireworks, aerial devices,
6 display fireworks, or articles pyrotechnic that are imported
7 into the State shall notify the appropriate county official, as
8 determined by the county, whether the shipment will be
9 distributed from:
- 10 (1) Pier to pier;
11 (2) Pier to warehouse or storage facility; or
12 (3) Pier to redistribution.
- 13 §132D- Fireworks used in displays; labeling. Each
14 aerial device, display firework, or article pyrotechnic that is
15 a shell, mine, comet, or multiple-tube device, including finale
16 or barrage boxes or Roman candle batteries or cakes, shall bear
17 a permanent label listing the importer's name, address, and
18 contact information. The label shall also list the name and



1 business location of the manufacturer and conform with the
2 following:

3 (1) The printed matter shall have a printed image at least
4 one-eighth inch high;

5 (2) The required statements on the label shall be printed
6 in a color contrasting sharply with the background of
7 the label and printed within a borderline;

8 (3) The label shall be at least nine inches square unless
9 precluded by the size of the aerial device, display
10 firework, or article pyrotechnic, in which case the
11 label may be reduced to a size no smaller than
12 necessary; and

13 (4) The label shall be submitted to the state fire council
14 for approval.

15 For purposes of this section, "permanent" means continuing
16 or enduring in the same state, status, or place without
17 fundamental or marked change, fluctuation, or alteration.

18 §132D- Display inspection. The fire chief of each
19 county is authorized to conduct an inspection of the personnel
20 and site of any display of aerial devices, display fireworks, or
21 articles pyrotechnic. Inspections shall determine compliance
22 with the current adopted county code and the current editions of



1 the National Fire Protection Association Standards 1123 "Outdoor
2 Display of Fireworks" or 1126 "Pyrotechnics Before a Proximate
3 Audience", which are incorporated by reference. An inspection
4 fee of \$200 shall be assessed to the holder of the display
5 permit, which shall be separately assessed from the display
6 permit fee. The inspection fee shall be payable by check or
7 money order to the county.

8 §132D- Display stop order. The fire chief of each
9 county is authorized to immediately revoke or suspend any permit
10 for display of aerial devices, display fireworks, or articles
11 pyrotechnic for the following reasons:

- 12 (1) Adverse climatic or atmospheric conditions;
13 (2) Red flag warnings issued by the National Weather
14 Service; or
15 (3) Any other conditions the fire chief determines to be
16 potentially hazardous to persons or property."

17 SECTION 2. Section 132D-2, Hawaii Revised Statutes, is
18 amended by adding two new definitions to be appropriately
19 inserted and to read as follows:

20 "Red flag warning" means a weather forecast, issued by the
21 National Weather Service, that weather conditions associated
22 with the outbreak of wildfire will occur.



1 "Shipping company" means an entity hired to transport
2 aerial devices, articles pyrotechnic, consumer fireworks,
3 display fireworks, or fireworks and includes freight
4 forwarders."

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

7 "**§132D-4 Permissible uses of display fireworks, articles**
8 **pyrotechnic, and aerial devices.** (a) Display fireworks,
9 articles pyrotechnic, and aerial devices may be purchased, set
10 off, ignited, or otherwise caused to explode in the State only
11 if for display and permitted in writing pursuant to sections
12 132D-10 and 132D-16.

13 (b) Display fireworks, articles pyrotechnic, and aerial
14 devices may be set off, ignited, discharged, or otherwise caused
15 to explode only:

16 (1) From 9:00 a.m. to 9:00 p.m.; or
17 (2) During other time periods for special events as
18 approved by the county fire chief."

19 SECTION 4. Section 132D-8, Hawaii Revised Statutes, is
20 amended by amending subsection (a) to read as follows:

21 "(a) All licenses required under section 132D-7 shall be
22 issued by the county and shall be nontransferable. Licenses to



1 import shall specify the date of issuance or effect and the date
2 of expiration, which shall be March 31 of each year. The
3 application shall be made on a form setting forth the date upon
4 which the importations are to begin, the address of the location
5 of the importer, and the name of the proprietor 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. The application for a license to
9 import aerial devices, display fireworks, or articles
10 pyrotechnic shall include written documentation, including
11 contact information, of any proposed display event for which the
12 importations are being made. If the state fire council or
13 county discovers at a later date that a licensee has been
14 convicted of a felony under this chapter, the licensee's license
15 shall be revoked and no new license shall be issued to the
16 licensee for two years."

17 SECTION 5. Section 132D-8.5, Hawaii Revised Statutes, is
18 amended to read as follows:

19 "§132D-8.5 Importation of aerial devices, display
20 fireworks, or articles pyrotechnic for display. (a) Aerial
21 devices, display fireworks, or articles pyrotechnic shall only
22 be imported and stored, if necessary, in an amount sufficient



1 for an anticipated three-month inventory; provided that if a
 2 licensee under section 132D-7 provides aerial devices, display
 3 fireworks, or articles pyrotechnic for displays as allowed under
 4 section 132D-16 more than once a month, the licensee may import
 5 or store, if necessary, sufficient aerial devices, display
 6 fireworks, or articles pyrotechnic for a six-month inventory.

7 (b) Prior to booking shipment for importations under this
 8 section, the licensee shall include written documentation,
 9 including contact information, of the proposed display event or
 10 events to the county fire chief to validate the importing of a
 11 three-month or six-month inventory. The licensee shall also
 12 provide an inventory breakdown for each proposed display."

13 SECTION 6. Statutory material to be repealed is bracketed
 14 and stricken. New statutory material is underscored.

15 SECTION 7. This Act shall take effect upon its approval.

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INTRODUCED BY:



Report Title:

Fireworks; Displays; Allowable Time Periods; Notification Requirements; Documentation

Description:

Requires shipping companies to notify county officials of fireworks shipments. Establishes labeling requirements for display fireworks. Allows counties to inspect fireworks display sites and revoke/suspend display permits. Specifies time periods for fireworks displays. Increases display fireworks documentation requirements.

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