
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 three new sections to be appropriately
3 designated and to read as follows:

4 "§132D- Labeling of display fireworks. Each shell,
5 mine, comet, and multiple tube device, such as finale or barrage
6 boxes, roman candle batteries, or cakes, shall bear a permanent
7 label listing the licensee's name, address, and contact
8 information. The label shall also list the name and business
9 address of the manufacturer. The label shall conform to the
10 following standards:

11 (1) Numerals and letters of the printed matter shall be
12 not less than one-eighth of an inch high, but the
13 printed matter is not required to be in capital
14 letters;

15 (2) Required statements shall be printed in a color that
16 contrasts sharply with the background and shall be
17 printed within a borderline;



1 (3) The measurements of the label shall be at least nine
2 inches by nine inches; provided that if the size of
3 the shell, mine, comet, or multiple tube device is too
4 small to correctly display a label of this size, the
5 label may be reduced to a size no smaller than
6 necessary to properly display the information
7 described in this section; and

8 (4) The label shall be approved by the state fire council.

9 §132D- Display site inspection. Each county fire chief
10 is authorized to conduct inspections of the persons conducting a
11 display, including the site where the display is occurring or
12 will occur within the fire chief's county to determine
13 compliance with the applicable county's current adopted county
14 code and the current editions of the National Fire Protection
15 Association's "NFPA 1123: Code for Fireworks Display" and "NFPA
16 1126: Standard for the Use of Pyrotechnics Before a Proximate
17 Audience". An inspection fee of \$200 shall be assessed by the
18 county upon the permit holder and shall be separate from the
19 display permit fee under section 132D-10.

20 §132D- Display stop order. A county fire chief is
21 authorized to immediately revoke or suspend any permit for
22 display of aerial devices, display fireworks, or articles



1 pyrotechnic within the fire chief's county for the following
2 reasons:

- 3 (1) Adverse climatic or atmospheric conditions;
4 (2) The issuance of red flag warnings; or
5 (3) Any other conditions determined to make the display
6 potentially hazardous to persons or property."

7 SECTION 2. Section 132D-2, Hawaii Revised Statutes, is
8 amended by adding three new definitions to be appropriately
9 inserted and to read as follows:

10 "Permanent" means the state of one object being affixed to
11 another object by glue or other means in a manner that the
12 affixed object is intended to not be easily removable.

13 "Red flag warning" means a weather forecast issued by the
14 National Weather Service indicating that weather conditions
15 associated with the outbreak of wildfire may occur.

16 "Shipper" means an entity or person, including a freight
17 forwarder, that is hired for the transport of aerial devices,
18 articles pyrotechnic, consumer fireworks, display fireworks, or
19 fireworks."

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



1 "**§132D-4 Permissible uses of display fireworks, articles**
2 **pyrotechnic, and aerial devices.** (a) Display fireworks,
3 articles pyrotechnic, and aerial devices may be purchased, set
4 off, ignited, or otherwise caused to explode in the State only
5 if for display and permitted in writing pursuant to sections
6 132D-10 and 132D-16.

7 (b) Display fireworks, articles pyrotechnic, and aerial
8 devices shall be set off, ignited, discharged, or otherwise
9 caused to explode within the State only from 9:00 a.m. to 9:00
10 p.m.; provided that the applicable county fire chief may extend
11 the time period for special events; provided further that the
12 time restriction established in this subsection shall not apply
13 to display fireworks, articles pyrotechnic, and aerial devices
14 set off, ignited, discharged, or otherwise caused to explode
15 within the State solely as part of a motion picture film or
16 television program production that has been issued a film permit
17 by the department of business, economic development, and
18 tourism."

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 of the proposed
11 display event and related contact information. If the state
12 fire council or county discovers at a later date that a licensee
13 has been convicted of a felony under this chapter, the
14 licensee's license shall be revoked and no new license shall be
15 issued to the licensee for two years."

16 SECTION 5. Section 132D-8.6, Hawaii Revised Statutes, is
17 amended by amending subsection (a) to read as follows:

18 "(a) Any person who has obtained a license under section
19 132D-7 and ships fireworks or articles pyrotechnic into the
20 State shall:



- 1 (1) Clearly designate the types of fireworks or articles
2 pyrotechnic in each shipment on the bill of lading or
3 shipping manifest with specificity;
- 4 (2) Declare on the bill of lading or shipping manifest the
5 gross weight of aerial devices, consumer fireworks,
6 display fireworks, and articles pyrotechnic to be
7 imported in each shipment and the location of the
8 storage facility, if applicable, in which the
9 fireworks or articles pyrotechnic are to be stored;
- 10 (3) Prior to shipment and when booking each shipment of
11 fireworks, aerial devices, display fireworks, or
12 articles pyrotechnic notify the appropriate county
13 official as determined by the county regarding whether
14 the shipment will be distributed from:
- 15 (A) Pier to pier;
- 16 (B) Pier to warehouse or storage facility; or
- 17 (C) Pier to redistribution; [and]
- 18 (4) Prior to booking the shipment, provide to the
19 applicable county fire chief:
- 20 (A) Written documentation regarding the proposed
21 display event or events and related contact
22 information to allow the fire chief to validate



1 the importation of a three-month or six-month
2 inventory; and

3 (B) An inventory breakdown for each proposed display;
4 and

5 [~~(4)~~] (5) At the time shipping is booked, the importer or
6 consignee shall notify the appropriate county official
7 as determined by the county in writing of the expected
8 shipment's landing date."

9 SECTION 6. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

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



Report Title:

Fire Protection; Fireworks; Inventory; Labeling; Importation;
Permit Revocation or Suspension

Description:

Amends provisions of the fireworks code, imposing new definitions and permitting, importation, labeling, and inspection requirements. Authorizes the fire chief to revoke or suspend permits for enumerated reasons. Exempts the Department of Business, Economic Development, and Tourism from the 9:00 a.m. to 9:00 p.m. time restriction for the purpose of overnight filming of pyrotechnics to benefit Hawaii's film and television industries. (SB172 HD1)

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