
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) Measurements of at least nine inches by nine inches;
2 provided that if the size of the shell is too small to
3 correctly display a label of this size, the label may
4 be reduced to a size no smaller than necessary to
5 properly display the information described in this
6 section; and

7 (4) Approved by the state fire council.

8 §132D- Display site inspection. Each county fire chief
9 is authorized to conduct inspections of the persons conducting a
10 display, including the site where the display is occurring or
11 will occur within the fire chief's county to determine
12 compliance with the applicable county's current adopted county
13 code and the current editions of the National Fire Protection
14 Association's "NFPA 1123: Code for Fireworks Display" and "NFPA
15 1126: Standard for the Use of Pyrotechnics Before a Proximate
16 Audience". An inspection fee of \$200 shall be assessed by the
17 county upon the permit holder and shall be separate from the
18 display permit fee under section 132D-10.

19 §132D- Display stop order. A county fire chief is
20 authorized to immediately revoke or suspend any permit for
21 display of aerial devices, display fireworks, or articles



1 pyrotechnics 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 freight
17 forwarders, 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."

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

14 "(a) All licenses required under section 132D-7 shall be
15 issued by the county and shall be nontransferable. Licenses to
16 import shall specify the date of issuance or effect and the date
17 of expiration, which shall be March 31 of each year. The
18 application shall be made on a form setting forth the date upon
19 which the importations are to begin, the address of the location
20 of the importer, and the name of the proprietor or, if a
21 partnership, the name of the partnership and the names of all
22 partners or, if a corporation, the name of the corporation and



1 the names of its officers. The application for a license to
2 import aerial devices, display fireworks, or articles
3 pyrotechnic shall include written documentation of the proposed
4 display event and related contact information. If the state
5 fire council or county discovers at a later date that a licensee
6 has been convicted of a felony under this chapter, the
7 licensee's license shall be revoked and no new license shall be
8 issued to the licensee for two years."

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

11 "(a) Any person who has obtained a license under section
12 132D-7 and ships fireworks or articles pyrotechnic into the
13 State shall:

14 (1) Clearly designate the types of fireworks or articles
15 pyrotechnic in each shipment on the bill of lading or
16 shipping manifest with specificity;

17 (2) Declare on the bill of lading or shipping manifest the
18 gross weight of aerial devices, consumer fireworks,
19 display fireworks, and articles pyrotechnic to be
20 imported in each shipment and the location of the
21 storage facility, if applicable, in which the
22 fireworks or articles pyrotechnic are to be stored;



- 1 (3) Prior to shipment and when booking each shipment of
2 fireworks, aerial devices, display fireworks, or
3 articles pyrotechnic notify the appropriate county
4 official as determined by the county regarding whether
5 the shipment will be distributed from:
- 6 (A) Pier to pier;
7 (B) Pier to warehouse or storage facility; or
8 (C) Pier to redistribution; [~~and~~]
- 9 (4) Prior to booking the shipment, the licensee shall
10 provide to the applicable county fire chief:
- 11 (A) Written documentation regarding the proposed
12 display event or events and related contact
13 information to allow the fire chief to validate
14 the importation of a three-month or six-month
15 inventory; and
- 16 (B) An inventory breakdown for each proposed display;
17 and
- 18 [~~4~~] (5) At the time shipping is booked, the importer or
19 consignee shall notify the appropriate county official
20 as determined by the county in writing of the expected
21 shipment's landing date."



1 SECTION 6. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

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

4



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. (SD2)

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