
A BILL FOR AN ACT

RELATING TO FIRE PROTECTION.

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

1 SECTION 1. The legislature finds that novelty cigarette
2 lighters have features that are attractive to children,
3 including visual effects, flashing lights, musical sounds, or
4 toy-like designs. The Consumer Product Safety Commission has
5 recalled thousands of novelty lighters since 1996 due to their
6 danger to public safety. Fires started by juveniles have been
7 identified as the fastest growing fire threat in the United
8 States, resulting in more than three hundred deaths annually, a
9 third of which are deaths of children. Fires started by
10 children have also resulted in almost \$1,000,000,000 in property
11 damage.

12 Many local and national public safety agencies, including
13 the National Fire Protection Association, Western Fire Chiefs
14 Association, and the National Association of State Fire
15 Marshals, support a ban on the sale and distribution of novelty
16 lighters. As of November 2010, fourteen states have banned the
17 retail sale or distribution of novelty lighters.



1 The legislature finds that the function of a lighter can be
2 achieved without creating a dangerous novelty attraction to
3 children. Accordingly, the purpose of this Act is to ban the
4 sale or distribution of novelty lighters within the State.

5 SECTION 2. Chapter 132, Hawaii Revised Statutes, is
6 amended by adding a new section to be appropriately designated
7 and to read as follows:

8 "§132- Novelty lighters; prohibited; penalties. (a) No
9 person shall sell, offer for sale, or otherwise distribute any
10 novelty lighter within the State.

11 (b) As used in this section, "novelty lighter" or
12 "lighter" means a handheld device that is designed to use fuel
13 to produce flame for the ignition of cigarettes, cigars, or
14 pipes, and has a design that would make it particularly
15 attractive to children ten years of age or younger.

16 This term includes lighters that:

- 17 (1) Depict or resemble cartoon characters, toys, guns,
18 watches, games, musical instruments, vehicles,
19 animals, food, or beverages;
20 (2) Produce sounds or music;
21 (3) Have flashing lights or illumination; or
22 (4) Any combination of the above.



1 This term shall not include any lighter manufactured prior
2 to 1980 or any lighter that lacks fuel or a component necessary
3 to produce flame or combustion.

4 (c) This section shall not apply to novelty lighters that
5 are transported through the State exclusively for sale, offer
6 for sale, or distribution outside the State.

7 (d) Any person who violates this section shall be guilty
8 of a misdemeanor and shall be imprisoned for not more than one
9 year or fined not more than \$1,000, or both."

10 SECTION 3. New statutory material is underscored.

11 SECTION 4. This Act shall take effect upon its approval.

12



Report Title:

Public Safety; Fire Protection; Novelty Lighters

Description:

Prohibits the retail sale or distribution of novelty lighters within the State. (SD2)

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