
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 federal Consumer Product Safety
5 Commission has recalled thousands of novelty lighters since 1996
6 due to their danger to public safety. Fires started by
7 juveniles have been identified as the fastest growing fire
8 threat in the United States, resulting in more than three
9 hundred people killed, a third of which are children. Fires
10 started by children have also resulted in almost \$1,000,000,000
11 in property damage.

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



1 novelty lighters. The function of a lighter can be achieved
2 without creating a dangerous novelty attraction to children.

3 The purpose of this Act is to ban the sale or distribution
4 of novelty lighters in 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)

9 No person shall sell, offer for sale, or otherwise distribute
10 any novelty lighter within the State. This section shall not
11 apply to novelty lighters that are manufactured in the State or
12 transported through the State exclusively for sale, offer for
13 sale, or distribution outside the State.

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

19 "Novelty lighter" or "lighter" includes but is not limited
20 to lighters that:



1 (1) Depict or resemble cartoon characters, toys, guns,
2 watches, games, musical instruments, vehicles,
3 animals, food, or beverages;

4 (2) Produce sounds or music;

5 (3) Have flashing lights or illumination; or

6 (4) Any combination of paragraphs (1) to (3).

7 This term shall not include any lighter manufactured prior
8 to 1980 or any lighter that lacks fuel or a component necessary
9 to produce flame or combustion.

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

13 SECTION 3. This Act does not affect rights and duties that
14 matured, penalties that were incurred, and proceedings that were
15 begun before its effective date.

16 SECTION 4. New statutory material is underscored.

17 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

[Handwritten signatures and initials over the text "INTRODUCED BY:"]



Report Title:

Public Safety; Fire Protection; Novelty Lighters

Description:

Prohibits the sale or distribution of novelty lighters.

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