

STAND. COM. REP. NO. 1460

Honolulu, Hawaii

April 8, 2011

RE: S.B. No. 172
S.D. 2
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 172, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FIREWORKS,"

begs leave to report as follows:

The purpose of this bill is to protect the public health and safety by, among other things:

- (1) Requiring that display fireworks be labeled to meet certain specifications;
- (2) Authorizing the county fire chiefs to:
 - (A) Conduct inspections of the persons conducting a display, including the site where the display will be conducted; and
 - (B) Revoke or suspend a permit for a display for specific conditions;
- (3) Establishing a \$200 fee for inspecting a display site;
- (4) Limiting the detonation of display fireworks, articles pyrotechnic, and aerial devices to the hours of 9:00 a.m. to 9:00 p.m., except at the county fire chief's discretion for special events; and

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- (5) Requiring those applying for firework licenses to provide certain information to the appropriate county fire chief.

The State Fire Council, Honolulu Fire Department, Department of the Prosecuting Attorney of the City and County of Honolulu, and Department of Fire and Public Safety of the County of Maui testified in support of this bill. The Department of Business, Economic Development, and Tourism (DBEDT) supported the intent of this measure.

Your Committee has amended this measure by:

- (1) Adding language specifying that the labeling requirements shall apply to display fireworks, article pyrotechnics, or aerial devices used for a display;
- (2) Specifying the type of contact information required of the licensee;
- (3) Clarifying that "display site inspections" are to be conducted to verify compliance with applicable law;
- (4) Inserting references to relevant statutes;
- (5) Adding a definition for "movie" and "television production";
- (6) Deleting the limitation that exemptions from the time constraints for a movie or television production require a permit from DBEDT;
- (7) Changing the effective date to January 7, 2059, to encourage continued discussion; and
- (8) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 172, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 172, S.D. 2, H.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary,


GILBERT KEITH-AGARAN, Chair



