



STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
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March 16, 2011

The Honorable Henry Aquino, Chair  
Committee on Public Safety and Military Affairs  
House of Representatives  
State Capitol, Room 419  
Honolulu, Hawaii 96813

Dear Chair Aquino:

Subject: S.B. 173, S.D. 2 Relating to Fire Protection

I am Kenneth G. Silva, Chair of the State Fire Council (SFC) and Fire Chief of the Honolulu Fire Department (HFD). The SFC and the HFD support S.B. 173, S.D. 2, which proposes to ban retail sales and the distribution of novelty lighters in the state.

The SFC and the HFD recommend an additional exclusion to Section 2(b) to read as follows:

"This term shall not include any lighter manufactured prior to 1980 or any lighter that lacks fuel or a component necessary to produce flame or combustion or standard disposable and refillable lighters that are printed or decorated with logos, labels, decals or artwork, or heat shrinkable sleeves."

This type of lighter is not considered a novelty lighter; however, they are designed for decorative or advertisement purposes and should be considered standard-type lighters.

Novelty lighters have features which are attractive to children, including visual effects, flashing lights, musical sounds, or toy-like designs. Since 1996, the Consumer Product Safety Commission recalled thousands of novelty lighters due to their danger to public safety. According to the National Fire Protection Association (NFPA), children playing with lighters or matches from 2004 to 2008 accounted for 57,700 fires, 113 civilian deaths, 916 injuries, and \$286 million in property loss. In addition, 47% of individuals who started fires using lighters or matches and 65% of the fatal victims were five years

The Honorable Henry Aquino, Chair  
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old or younger. In the City and County of Honolulu during the period 2003-2010, 48 fires were started by children playing with lighters. This resulted in two fire deaths and 15 fire-related injuries and property and content damage estimated at \$3,915,900.

Many local and national public safety agencies, including the NFPA, the Western Fire Chiefs Association, and the National Association of State Fire Marshals, support the prohibition and distribution of novelty lighters. The function of a lighter can be achieved without the novelty attraction, which only serves to invite dangerous behavior that results in tragedy and destruction. To date, 14 states have banned the sale and distribution of novelty lighters.

The SFC and the HFD urge your committee's support on the passage of S.B. 173, S.D. 2.

Should you have any questions, please call SFC Administrator Socrates Bratakos at 723-7151.

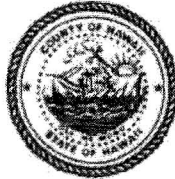
Sincerely,



KENNETH G. SILVA  
Chair

KGS/LR:cn

**William P. Kenoi**  
*Mayor*



**Darryl J. Oliveira**  
*Fire Chief*

**Glen P. I. Honda**  
*Deputy Fire Chief*

## County of Hawai'i

### FIRE DEPARTMENT

25 Aupuni Street • Suite 2501 • Hilo, Hawai'i 96720  
(808) 932-2900 • Fax (808) 932-2928

March 15, 2011

Representative Henry J. C. Aquino  
Committee on Public Safety & Military Affairs  
State Capitol, Room 419  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Representative Aquino,

RE: SB 173, SD2, RELATING TO FIRE PROTECTION  
DATE/TIME OF HEARING: MARCH 17, 2011, 8:30 A.M.

I would like to submit this letter and written testimony in support of Senate Bill 173, SD2 which proposes to prohibit the retail sale or distribution of novelty lighters within the State of Hawaii.

The devices in question are manufactured in such a manner that they resemble toys and appeal to the interest of children. Needless to say, this poses a significant risk for fire, and more importantly, risk of injury to a child who may unknowingly operate the device. There is no apparent benefit to the sale of such devices; however, there is an apparent risk to the health and safety of our community.

Therefore, I respectfully request your support of Senate Bill 173, SD2 as drafted.

Sincerely,

  
DARRYL OLIVEIRA  
Fire Chief

DO:lk



**Bernard P. Carvalho, Jr.**  
Mayor



**Robert F. Westerman**  
Fire Chief

**Gary K. Heu**  
Managing Director

**John T. Blalock**  
Deputy Fire Chief

**KAUA'I FIRE DEPARTMENT**  
**County of Kaua'i, State of Hawai'i**  
3083 Akahi Street, Suite 101, Līhu'e, Hawai'i 96766  
TEL (808) 241-4980 FAX (808) 241-6508

March 16, 2011

The Honorable Henry Aquino, Chair  
Committee on Public Safety and Military Affairs  
House of Representatives  
State Capitol, Room 419  
Honolulu, Hawaii 96813

Dear Chair Aquino:

**Subject: S.B. 173, S.D. 2 Relating to Fire Protection**

I am Robert F. Westerman, Fire Chief of the Kauai Fire Department (KFD) and a member of the State Fire Council (SFC). The SFC and the KFD support S.B. 173, S.D. 2, which proposes to ban retail sales and the distribution of novelty lighters in the state.

The SFC and the KFD recommend an additional exclusion to Section 2(b) to read as follows:

"This term shall not include any lighter manufactured prior to 1980 or any lighter that lacks fuel or a component necessary to produce flame or combustion or standard disposable and refillable lighters that are printed or decorated with logos, labels, decals or artwork, or heat shrinkable sleeves."

This type of lighter is not considered a novelty lighter; however, they are designed for decorative or advertisement purposes and should be considered standard-type lighters.

Novelty lighters have features which are attractive to children, including visual effects, flashing lights, musical sounds, or toy-like designs. Since 1996, the Consumer Product Safety Commission recalled thousands of novelty lighters due to their danger to public safety. According to the National Fire Protection Association (NFPA), children playing with lighters or matches from 2004 to 2008 accounted for 57,700 fires, 113 civilian deaths, 916 injuries, and \$286 million in property loss. In addition, 47% of individuals who started fires using lighters or matches and 65% of the fatal victims were five years old or younger. In the City and County of Honolulu during the period 2003-2010, 48 fires were started by children playing with lighters. This resulted in two fire deaths and 15 fire-related injuries and property and content damage estimated at \$3,915,900.

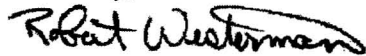
Honorable Henry Aquino  
March 16, 2011  
Page 2

Many local and national public safety agencies, including the NFPA, the Western Fire Chiefs Association, and the National Association of State Fire Marshals, support the prohibition and distribution of novelty lighters. The function of a lighter can be achieved without the novelty attraction, which only serves to invite dangerous behavior that results in tragedy and destruction. To date, 14 states have banned the sale and distribution of novelty lighters.

The SFC and the KFD urge your committee's support on the passage of S.B. 173, S.D. 2.

Please call me at (808) 241-4980 should you have any questions regarding this matter.

Sincerely,



Robert Westerman  
Fire Chief, County of Kaua'i

RFW/eld

## PBMtestimony

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 16, 2011 11:48 AM  
**To:** PBMtestimony  
**Cc:** roxanne.kinores-medeiros@mauicounty.gov  
**Subject:** Testimony for SB173 on 3/17/2011 8:30:00 AM

Testimony for PBM 3/17/2011 8:30:00 AM SB173

Conference room: 309  
Testifier position: support  
Testifier will be present: No  
Submitted by: Jeffrey A. Murray  
Organization: Maui Fire Department  
Address:  
Phone:  
E-mail: [roxanne.kinores-medeiros@mauicounty.gov](mailto:roxanne.kinores-medeiros@mauicounty.gov)  
Submitted on: 3/16/2011

Comments:

## PBMtestimony

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 16, 2011 12:27 AM  
**To:** PBMtestimony  
**Cc:** web@cartoonistforchrist.org  
**Subject:** Testimony for SB173 on 3/17/2011 8:30:00 AM

Testimony for PBM 3/17/2011 8:30:00 AM SB173

Conference room: 309  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Lee McIntosh  
Organization: Individual  
Address:  
Phone:  
E-mail: [web@cartoonistforchrist.org](mailto:web@cartoonistforchrist.org)  
Submitted on: 3/16/2011

### Comments:

Mr. Chair and Members of the Committee on Public Safety and Military Affairs:

Aloha, my name is Lee McIntosh. I live in Kau on the Big Island. I am not in favor of SB 173, which would ban the sale of novelty lighters in Hawaii. This bill fails to acknowledge that the real solution to the problem is that parents are responsible for teaching their children about fire safety. Instead, SB 173 unfairly denies collectors and potential customers the joy of purchasing unique lighters, even those who do not have any children residing in their home. This is a bad bill that encroaches on the people's liberty while failing to accomplish its intended goal. Thank you for the opportunity to testify on SB 173.