



STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

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February 22, 2011

The Honorable Clayton Hee, Chair
Committee on Judiciary and Labor
The State Senate
State Capitol, Room 407
Honolulu, Hawaii 96813

Dear Chair Hee:

Subject: **S.B. 173**, S.D. 1 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. 1, 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

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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. 1.

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

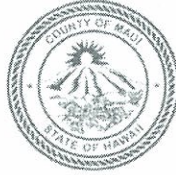
Sincerely,



KENNETH G. SILVA
Chair

KGS/LR:cn

ALAN M. ARAKAWA
MAYOR



LATE TESTIMONY

JEFFREY A. MURRAY
CHIEF

ROBERT M. SHIMADA
DEPUTY CHIEF

COUNTY OF MAUI
DEPARTMENT OF FIRE AND PUBLIC SAFETY

200 DAIRY ROAD
KAHULUI, MAUI, HAWAII 96732
(808) 270-7561
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EMAIL: fire.dept@mauicounty.gov

February 21, 2011

The Honorable Clayton Hee, Chair
Committee on Judiciary and Labor
The State Senate
State Capitol, Room 407
Honolulu, Hawaii 96813

Dear Chair Hee:

Subject: S.B. 173, S.D. 1 Relating to Fire Protection

I am Jeffrey A. Murray, Fire Chief of the County of Maui, Department of Fire & Public Safety (MFD) and a member of the State Fire Council (SFC). The MFD and the SFC support S.B. 173, S.D. 1, which proposes to ban retail sales and the distribution of novelty lighters in the state. The SFC recommends an additional exclusion 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, but are designed for decorative or advertisement purposes. These lighters 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 percent 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

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The MFD and the SFC urge your committee's support on the passage of S.B. 173.

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

Sincerely,



JEFFREY A. MURRAY
Fire Chief

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 22, 2011 3:39 PM
To: JDLTestimony
Cc: web@cartoonistforchrist.org
Subject: Testimony for SB173 on 2/23/2011 9:00:00 AM

Testimony for JDL 2/23/2011 9:00:00 AM SB173

Conference room: 016
Testifier position: oppose
Testifier will be present: No
Submitted by: Lee McIntosh
Organization: Individual
Address:
Phone:
E-mail: web@cartoonistforchrist.org
Submitted on: 2/22/2011

Comments:

Mr. Chair and Members of the Committee on Judiciary and Labor:
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. Parents are responsible for teaching their children about fire safety. This bill fails to acknowledge this principle, and sets a dangerous precedent. Each session the Legislature continues to propose bills that slowly eat away at our liberties. The Legislature's duty is not to be a nanny. What about households that don't have children? SB 173 penalizes everyone for the failure of a few. We must immediately stop this trend, starting with SB 173. Thank you for the opportunity to testify on SB 173.