
A BILL FOR AN ACT

RELATING TO FIREWORKS.

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

1 SECTION 1. Section 132D-2, Hawaii Revised Statutes, is
2 amended by amending the definition of "display fireworks" to
3 read as follows:

4 ""Display fireworks" means any fireworks designed primarily
5 for exhibition display by producing visible or audible effects
6 and classified as display fireworks or contained in the
7 regulations of the United States Department of Transportation
8 and designated as UN0333, UN0334, or UN0335, and includes
9 salutes containing more than two grains (one hundred and thirty
10 milligrams) of explosive materials, aerial shells containing
11 more than forty grams of pyrotechnic compositions, and other
12 display pieces [~~which~~] that exceed the limits of explosive
13 materials for classification as "consumer fireworks". [~~This~~]
14 The term also includes fused setpieces containing components[~~7~~
15 ~~which~~] that together exceed fifty milligrams of [~~salute power.~~]
16 pyrotechnic composition. The use of display fireworks shall be
17 prohibited for use by any person who does not have a display
18 permit issued by a county."



1 SECTION 2. Section 132D-8.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§132D-8.5 Importation of aerial devices, display
4 fireworks, or articles pyrotechnic for display. (a) Aerial
5 devices, display fireworks, or articles pyrotechnic shall only
6 be imported and stored, if necessary, in an amount sufficient
7 for [~~an anticipated three month inventory; provided that if a~~
8 ~~licensee under section 132D-7 provides aerial devices, display~~
9 ~~fireworks, or articles pyrotechnic for displays as allowed under~~
10 ~~section 132D-16 more than once a month, the licensee may import~~
11 ~~or store, if necessary, sufficient aerial devices, display~~
12 ~~fireworks, or articles pyrotechnic for a six month inventory.]~~
13 an upcoming permitted display.

14 (b) This section shall not apply to any licensee under
15 section 132D-7 importing UN0335 fireworks who provides proof of:

16 (1) Ownership of fireworks storage facilities approved by
17 the United States Bureau of Alcohol, Tobacco, Firearms
18 and Explosives;

19 (2) Accurate recordkeeping and auditing procedures; and

20 (3) The production of at least eight displays within the
21 last twelve calendar months."



1 SECTION 3. Section 132D-8.6, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Any person who has obtained a license under section
4 132D-7 and ships fireworks or articles pyrotechnic into the
5 State shall:

6 ~~[(1) Clearly designate the types of fireworks or articles
7 pyrotechnic in each shipment on the bill of lading or
8 shipping manifest with specificity;~~

9 ~~[(2) Declare on the bill of lading or shipping manifest the
10 gross weight of consumer fireworks, display fireworks,
11 articles pyrotechnic, and aerial devices to be
12 imported in each shipment and the location of the
13 storage facility, if applicable, in which the
14 fireworks or articles pyrotechnic are to be stored;~~

15 ~~[(3)]~~ (1) Prior to shipment and when booking each shipment
16 of fireworks, display fireworks, articles pyrotechnic,
17 or aerial devices, notify the appropriate county
18 official as determined by the county regarding whether
19 the shipment will be distributed from:

20 (A) Pier to pier;

21 (B) Pier to warehouse or storage facility; or

22 (C) Pier to redistribution; and



- 1 ~~[(4) Prior to booking the shipment, provide to the~~
- 2 ~~applicable county fire chief:~~
- 3 ~~(A) Written documentation regarding the proposed~~
- 4 ~~display event or events and related contact~~
- 5 ~~information to allow the fire chief to validate~~
- 6 ~~the importation of a three-month or six-month~~
- 7 ~~inventory under section 132D-8.5; and~~
- 8 ~~(B) An inventory breakdown for each proposed display;~~
- 9 ~~and~~
- 10 ~~(5)] (2) At the time shipping is booked, the importer or~~
- 11 ~~consignee shall [notify]:~~
- 12 (A) Provide written notification to the appropriate
- 13 county official, as determined by the county [in
- 14 writing], of the expected shipment's landing
- 15 date[-] and, if applicable, the location of the
- 16 storage facility in which the fireworks or
- 17 articles pyrotechnic are to be stored; and
- 18 (B) Provide a bill of lading or packing list, or
- 19 both, specifying the types of products being
- 20 imported, their classifications, and their gross
- 21 weight."



1 SECTION 4. Section 132D-16.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§132D-16.5[+] Labeling of display fireworks. (a)

4 This section shall apply to any display fireworks, articles
5 pyrotechnic, or aerial devices used for a display.

6 (b) ~~[Each shell, mine, comet, and multiple tube device,
7 such as finale or barrage boxes, roman candle batteries, or
8 cakes, shall bear a permanent label listing the licensee's name,
9 address, and contact information to include telephone number or
10 electronic mail address. The label shall also list the name and
11 business address of the manufacturer.]~~ In accordance with the
12 requirements of subsection (c), all licensed importers shall
13 place the following marks of identification on all display
14 fireworks, articles pyrotechnic, or aerial devices imported, and
15 in no event later than fifteen days after the date of
16 importation into the State:

17 (1) The name and address (city and state) of the importer;
18 and

19 (2) The location (city and country) where the display
20 fireworks, articles pyrotechnic, or aerial devices
21 were manufactured and the date and shift of

22 manufacture; provided that a foreign manufacturer that



1 operates a plant for only one shift during the day
2 need not show the shift of manufacture.

3 (c) [The label] Labels and markings under this section
4 shall be approved by the state fire council and conform to the
5 following standards:

6 (1) Numerals and letters of the printed matter shall be
7 not less than one-eighth of an inch high;

8 (2) Required statements shall be printed in a color that
9 contrasts sharply with the background and shall be
10 printed within a borderline; ~~and~~

11 (3) The marks shall be permanent and legible;

12 (4) The marks shall be in the English language, using
13 Roman letters and Arabic numerals;

14 (5) The marks shall be placed on each cartridge, bag, or
15 other immediate container of display fireworks,
16 articles pyrotechnic, or aerial devices, and on any
17 outside container used for the packaging of the
18 materials;

19 (6) The marks shall be affixed using any method, or
20 combination of methods, to the immediate container of
21 display fireworks, articles pyrotechnic, or aerial
22 devices, or outside containers used for the packaging



1 thereof; provided that the marks are legible,
2 permanent, display all the information required under
3 subsection (b), and are not rendered unreadable by
4 extended periods of storage;

5 (7) In lieu of printed marks, the county fire department
6 may authorize a coding system that provides the
7 information required under subsection (b), upon
8 receipt of an application letter from the licensed
9 importer showing and explaining the proposed coding;

10 (8) The county fire department may authorize other means
11 of identifying display fireworks, articles
12 pyrotechnic, or aerial devices, upon receipt of an
13 application letter from the licensed manufacturer or
14 the licensed importer demonstrating that the means of
15 identification is reasonable and will not hinder the
16 effective administration of this chapter; and

17 ~~[(3)]~~ (9) The label shall measure at least [nine inches by]
18 nine square inches; provided that if the size of the
19 shell, mine, comet, or multiple tube device is too
20 small to correctly display a label of this size, the
21 label may be reduced to a size no smaller than



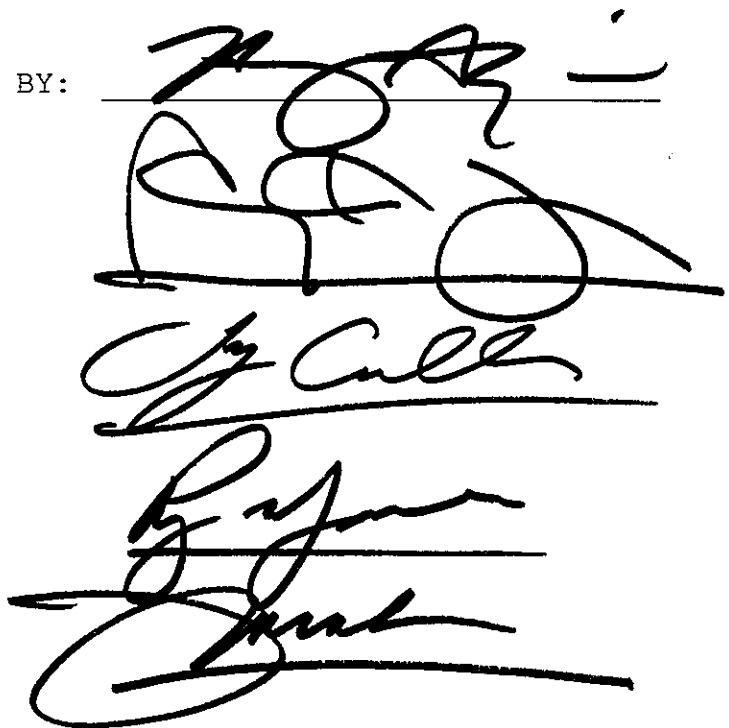
1 necessary to properly display the information
2 described in this section."

3 SECTION 5. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

6 SECTION 6. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 7. This Act shall take effect upon its approval.
9

INTRODUCED BY:



JAN 24 2012



H.B. NO. 2642

Report Title:

Display Fireworks; Documentation and Labeling Requirements

Description:

Corrects the definition of "display fireworks". Restricts the importation of display fireworks to amounts necessary for a permitted display, except for qualified importers of certain fireworks. Amends fireworks shipment documentation requirements. Amends labeling requirements for imported display fireworks.

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