
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.** Aerial devices,
5 display fireworks, or articles pyrotechnic shall only be
6 imported and stored, if necessary, in an amount sufficient for
7 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 provided further that this section shall not apply to any
14 licensee under section 132D-7 who imports aerial devices,
15 display fireworks, or articles pyrotechnic and provides proof
16 of:

- 17 (1) A licensed fireworks storage facility;
18 (2) Accurate recordkeeping and auditing procedures of
19 fireworks; and
20 (3) The production of at least twelve 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]~~ provide:

12 (A) Written notification to the appropriate county
13 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) A bill of lading, packing list, or both,
19 specifying the types of products being imported,
20 their classifications, and their gross weight."

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

1 " ~~[+]~~§132D-16.5~~[+]~~ **Labeling of display fireworks.** (a)

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

4 (b) ~~[Each shell, mine, comet, and multiple tube device,
5 such as finale or barrage boxes, roman candle batteries, or
6 cakes, shall bear a permanent label listing the licensee's name,
7 address, and contact information to include telephone number or
8 electronic mail address. The label shall also list the name and~~

9 ~~business address of the manufacturer.]~~ In accordance with the
10 requirements of subsection (c), all licensed importers shall
11 place the following marks of identification on all imported
12 display fireworks, articles pyrotechnic, or aerial devices, no
13 later than fifteen days after the date of importation into the
14 State:

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

16 and

17 (2) The location (city and country) where the display
18 fireworks, articles pyrotechnic, or aerial devices

19 were manufactured and the date and shift of

20 manufacture; provided that a foreign manufacturer that

21 operates a plant for only one shift during the day

22 need not show the shift of manufacture.



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

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

6 (2) Required statements shall be printed in a color that
7 contrasts sharply with the background and shall be
8 printed within a borderline; [~~and~~]

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

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

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

17 (6) The marks shall be affixed using any method, or
18 combination of methods, to the immediate container of
19 display fireworks, articles pyrotechnic, or aerial
20 devices, or outside containers used for the packaging
21 thereof; provided that the marks are legible,
22 permanent, display all the information required under



1 subsection (b), and are not rendered unreadable by
2 extended periods of storage;

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

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

15 [+3+] (9) The label shall measure at least [~~nine inches by~~]
16 nine square inches; provided that if the size of the
17 shell, mine, comet, or multiple tube device is too
18 small to correctly display a label of this size, the
19 label may be reduced to a size no smaller than
20 necessary to properly display the information
21 described in this section."



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

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

6 SECTION 7. This Act shall take effect upon its approval.



Report Title:

Display Fireworks; Documentation and Labeling Requirements

Description:

Amends the definition of "display fireworks". Amends fireworks shipment documentation requirements. Amends labeling requirements for imported display fireworks. (HB2642 HD2)

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