



**GOV. MSG. NO. 1111**

EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

April 15, 2014

The Honorable Donna Mercado Kim,  
President  
and Members of the Senate  
Twenty-Seventh State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Seventh State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on April 15, 2014, the following bill was signed into law:

HB1664 HD1

RELATING TO FIRE PROTECTION FOR  
FIREWORKS  
**ACT 011 (14)**

  
Signed,

NEIL ABERCROMBIE  
Governor, State of Hawaii

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THE SENATE  
CLERK'S OFFICE  
STATE OF HAWAII

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SENATE  
OFFICE OF THE PRESIDENT

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# A BILL FOR AN ACT

RELATING TO FIRE PROTECTION FOR 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 adding two new definitions to read as follows:

3 "Permanent fireworks storage building or structure" means  
4 a building or structure affixed to a foundation on a site and  
5 having fixed utility connections, which is intended to remain on  
6 the site for more than one hundred eighty consecutive calendar  
7 days in a twelve-month period for the purpose of receiving,  
8 storing, or shipping fireworks, but in which no manufacturing of  
9 fireworks is performed.

10 "Temporary fireworks storage building or structure" means a  
11 building or structure that is used for fireworks storage for one  
12 hundred eighty days or less in a twelve-month period."

13 SECTION 2. Section 132D-8, Hawaii Revised Statutes, is  
14 amended to read as follows:

15 **"§132D-8 Application for license.** (a) All licenses  
16 required under section 132D-7 shall be issued by the county and  
17 shall be nontransferable. Licenses to import shall specify the  
18 date of issuance or effect and the date of expiration, which



1 shall be March 31 of each year. The application shall be made  
2 on a form setting forth the date upon which the importations are  
3 to begin, the address of the location of the importer, and the  
4 name of the proprietor or, if a partnership, the name of the  
5 partnership and the names of all partners or, if a corporation,  
6 the name of the corporation and the names of its officers. The  
7 application for a license to import display fireworks, articles  
8 pyrotechnic, or aerial devices shall include written  
9 documentation of the proposed display event and related contact  
10 information in a form prescribed by the applicable county. If  
11 the state fire council or county discovers at a later date that  
12 a licensee has been convicted of a felony under this chapter,  
13 the licensee's license shall be revoked and no new license shall  
14 be issued to the licensee for two years.

15 (b) Each storage, wholesaling, and retailing site shall be  
16 required to obtain a separate license. The license shall  
17 specify the date of issuance or effect and the date of  
18 expiration, which shall be March 31 of each year. The  
19 application shall be made on a form setting forth the date upon  
20 which the storage, sale, or offers for sale are to begin, the  
21 address of the location of the licensee, and the name of the  
22 proprietor, or, if a partnership, the name of the partnership



1 and the names of all partners or, if a corporation, the name of  
2 the corporation and the name of its officers. Any license  
3 issued pursuant to this chapter may be revoked by the county if  
4 the licensee violates any provision of this chapter or if the  
5 licensee stores or handles the fireworks in such a manner as to  
6 present an unreasonable safety hazard.

7 (c) Permanent and temporary fireworks storage buildings or  
8 structures and buildings or facilities where redistribution  
9 activities are performed shall comply with the currently adopted  
10 county building or fire codes or the latest edition of  
11 nationally recognized standards.

12 [~~e~~] (d) It shall be unlawful for any licensee, other than  
13 a wholesaler who is selling or transferring fireworks or  
14 articles pyrotechnic to a licensed retailer, to sell or offer to  
15 sell, exchange for consideration, give, transfer, or donate any  
16 fireworks or articles pyrotechnic at any time to any person who  
17 does not present a permit duly issued as required by section  
18 132D-10 or 132D-16. The permit shall be signed by the seller or  
19 transferor at the time of sale or transfer of the fireworks or  
20 articles pyrotechnic, and the seller or transferor shall  
21 indicate on the permit the amount and type of fireworks or  
22 articles pyrotechnic sold or transferred. No person shall sell



1 or deliver fireworks to any permittee in any amount in excess of  
2 the amount specified in the permit, less the amount shown on the  
3 permit to have been previously purchased; provided that no  
4 fireworks shall be sold to a permittee holding a permit issued  
5 for purposes of section 132D-3, more than five calendar days  
6 before the applicable time period under section 132D-3.

7 ~~[(d)]~~ (e) Aerial devices, display fireworks, or articles  
8 pyrotechnic shall only be sold or transferred by a wholesaler to  
9 a person with a valid permit under sections 132D-10 and 132D-16.  
10 No person with a valid permit under sections 132D-10 and 132D-16  
11 shall sell or transfer aerial devices, display fireworks, or  
12 articles pyrotechnic to any other person.

13 ~~[(e)]~~ (f) Any license issued pursuant to this chapter  
14 shall be prominently displayed in public view at each licensed  
15 location."

16 SECTION 3. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18 SECTION 4. This Act shall take effect upon its approval.

APPROVED this 15 day of APR, 2014

*Neil Abernethy*

GOVERNOR OF THE STATE OF HAWAII

