

JAN 17 2014

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## A BILL FOR AN ACT

RELATING TO FIREWORKS.

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

1       SECTION 1. The legislature finds that transporting  
2 fireworks to, from, and within the State of Hawaii requires the  
3 use of multiple methods of interstate and intrastate  
4 transportation. The legislature also finds that given the  
5 diversity of transportation processes and modes, it is essential  
6 to the health and safety of the community and the State's first  
7 responders that the importation of fireworks shipments be  
8 thoroughly accounted for and reported. Although existing law  
9 regulating fireworks provides requirements for licensed  
10 individuals or entities, it does not contain notification  
11 requirements for those transporting fireworks. Accordingly, the  
12 legislature must clarify shippers' responsibilities under the  
13 law to better account for and monitor fireworks shipments. In  
14 addition, the legislature finds that shipments of fireworks  
15 imported into the State may consist of multiple orders or lots  
16 that may require "redistribution" and such activities are not  
17 clearly defined or recognized in existing statute.



1           The purpose of this Act is to amend chapter 132D, Hawaii  
2 Revised Statutes, pertaining to fireworks to delineate the  
3 responsibilities of those persons or entities hired for  
4 transporting fireworks and to clarify the labeling size of  
5 display fireworks, articles pyrotechnic, and aerial devices.

6           SECTION 2. Chapter 132D, Hawaii Revised Statutes, is  
7 amended by adding a new section to be appropriately designated  
8 and to read as follows:

9           "§132D- Requirements of shipper. Any shipper that  
10 receives fireworks that are imported into the State or between  
11 counties shall notify the fire chief as to whether the shipment  
12 will be distributed from:

- 13           (1) Pier to pier;  
14           (2) Pier to warehouse or storage facility; or  
15           (3) Pier to redistribution."

16           SECTION 3. Section 132D-2, Hawaii Revised Statutes, is  
17 amended as follows:

18           1. By adding a new definition to be appropriately inserted  
19 and to read:

20           "Redistribution" means the performance or conducting of  
21 activities related to the unpacking, segregating, and repacking  
22 of a consolidated shipment of fireworks or articles pyrotechnics



1 for the purpose of transporting or delivering to a storage,  
2 wholesale, or retail site pursuant to section 132D-8.6.  
3 Redistribution activities are acknowledged as being temporary or  
4 of a short duration."

5 2. By amending the definition of "license" to read:

6 "License" means a nontransferable, formal authorization,  
7 valid for a period not to exceed one [~~calendar~~] year from the  
8 date of issuance and which the department is hereby authorized  
9 to issue under this chapter, to engage in the act or acts  
10 specifically designated herein."

11 SECTION 4. Section 132D-16.5, Hawaii Revised Statutes, is  
12 amended by amending subsection (b) to read as follows:

13 "(b) Each shell, mine, comet, and multiple tube device,  
14 such as finale or barrage boxes, roman candle batteries, or  
15 cakes, shall bear a permanent label listing the licensee's name,  
16 address, and contact information to include telephone number or  
17 electronic mail address. The label shall also list the name and  
18 business address of the manufacturer. The label shall be  
19 approved by the state fire council and conform to the following  
20 standards:

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



1 (2) Required statements shall be printed in a color that  
2 contrasts sharply with the background and shall be  
3 printed within a borderline; and

4 (3) The label shall measure at least nine square inches  
5 [~~by nine inches~~]; provided that if the size of the  
6 shell, mine, comet, or multiple tube device is too  
7 small to correctly display a label of this size, the  
8 label may be reduced to a size no smaller than  
9 necessary to properly display the information  
10 described in this section."

11 SECTION 5. Statutory material to be repealed is bracketed  
12 and stricken. New statutory material is underscored.

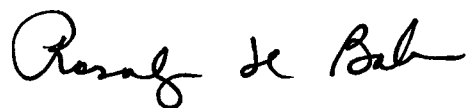
13 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY:

Will Ezyro







# S.B. NO. 2301

**Report Title:**

Fireworks; Shipper Requirements; Labeling

**Description:**

Requires shippers to notify the fire chief as to where fireworks shipments imported into the State or between counties are to be distributed; defines the term redistribution to clarify shipment notification requirements; and clarifies that labels on certain fireworks shall be at least nine square inches.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

