

JAN 22 2016

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 the transportation
2 of fireworks to, from, and within the State of Hawaii requires
3 the use of various modes of transportation, including interstate
4 trucking or rail, interstate maritime transportation, intrastate
5 maritime transportation, and intrastate trucking. The
6 legislature also finds that given the diversity of
7 transportation processes and modes, it is in the best interest
8 of the health and safety of the community and the State's first
9 responders that fireworks shipments imported into the State be
10 thoroughly accounted for and reported. Currently, section 132D-
11 8.6, Hawaii Revised Statutes, sets forth the requirements
12 regarding the shipment of imported fireworks by licensed
13 persons. However, to ensure a more comprehensive tracking of
14 all shipments of fireworks imported into the State, additional
15 requirements of persons or entities defined as the "shipper" are
16 necessary. The requirements for shippers were inadvertently
17 omitted when the definition of "shipper" was added to chapter



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1 132D, Hawaii Revised Statutes, by Act 127, Session Laws of
2 Hawaii 2011.

3 The purposes of this Act are to:

- 4 (1) Set forth the responsibilities of those persons or
5 entities defined as "shipper" for purposes of
6 fireworks importation;
- 7 (2) Clarify that fireworks may be used in movie
8 productions and by those authorized to destroy or test
9 fireworks; and
- 10 (3) Clarify the dimensions of labels required for display
11 fireworks, articles pyrotechnic, and aerial devices.

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

15 "§132D- Requirements of shipper. Any shipper that
16 receives fireworks that are imported into the State or
17 transported between the counties shall notify the county fire
18 chief of the county to which the shipment is headed, prior to
19 shipment, whether the shipment will be distributed from:

- 20 (1) Pier to pier;
- 21 (2) Pier to warehouse or storage facility; or



1 (3) Pier to redistribution."

2 SECTION 3. Section 132D-6, Hawaii Revised Statutes, is
3 amended to read as follows:

4 "[+]§132D-6[+] **Exceptions.** The prohibitions in section
5 132D-5 do not apply to:

6 (1) The use of flares, noisemakers, or signals for
7 warning, pest control, or illumination purposes by
8 police and fire departments, utility companies,
9 transportation agencies, and other governmental or
10 private agencies or persons, including agricultural
11 operations, in connection with emergencies, their
12 duties, or business; [and]

13 (2) The sale or use of blank cartridges for a show or
14 theater, or for signal, commercial, or institutional
15 purposes in athletics or sports[-];

16 (3) The purchase and use of consumer fireworks, aerial
17 devices, display fireworks, or articles pyrotechnic in
18 a film or movie production with a valid permit issued
19 by a county or its authorized designee under section
20 132D-10; and



1 (4) The testing, disposal, or destruction of illegal or
2 unwanted fireworks by the licensee."

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

5 "(b) Each shell, mine, comet, and multiple tube device,
6 such as finale or barrage boxes, roman candle batteries, or
7 cakes, shall bear a permanent label listing the licensee's name,
8 address, and contact information to include telephone number or
9 electronic mail address. The label shall also list the name and
10 business address of the manufacturer. The label shall be
11 approved by the state fire council and conform to the following
12 standards:

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

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

18 (3) The label shall measure at least [~~nine inches by~~] nine
19 square inches; provided that if the size of the shell,
20 mine, comet, or multiple tube device is too small to
21 correctly display a label of this size, the label may



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1 be reduced to a size no smaller than necessary to
2 properly display the information described in this
3 section."

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

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

INTRODUCED BY: M.M.P. W.
 BY REQUEST



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Report Title:

Fire Council Package; Fireworks; Shippers; Prohibitions

Description:

Expands exceptions to the general prohibitions on fireworks.
Imposes requirements upon shippers of fireworks.

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

