

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 multiple modes or methods of transport, including
4 interstate trucking or rail, interstate maritime transportation,
5 intrastate maritime transportation, and intrastate trucking.
6 The legislature also finds that, given the diversity of
7 transportation processes and modes, it is essential, and in the
8 best interest of the health and safety of the community and the
9 State's first responders, that there be thorough accounting and
10 reporting on the importation of fireworks shipments.

11 The legislature acknowledges that the current statute
12 regulating importation of fireworks establishes requirements for
13 licensed individuals or entities in accordance with section
14 132D-8.6, Hawaii Revised Statutes. However, to ensure a more
15 comprehensive tracking of all shipments of fireworks imported
16 into the State, additional requirements of those persons or
17 entities defined as "shipper" is necessary. The requirements



1 for shipper were inadvertently omitted when the definition was
2 added in a previous legislative session.

3 The purpose of this Act to is to clarify the current
4 fireworks importation statute and add a new section to delineate
5 the responsibilities of those persons or entities defined as a
6 "shipper". This Act also allows fireworks to be used in movie
7 productions and by those authorized to destroy or test fireworks
8 and makes amendments regarding the dimensions of required labels
9 on display fireworks, articles pyrotechnic, and aerial devices.

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

13 "§132D- Requirements of shipper. (a) Any shipper
14 that receives fireworks that are imported into the State or
15 transported between the counties shall notify the county fire
16 chief of the county to which the shipment is destined, prior to
17 shipment, whether the shipment will be distributed from:

- 18 (1) Pier to pier;
19 (2) Pier to warehouse or storage facility; or
20 (3) Pier to redistribution."



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

3 "[+]§132D-6[+] **Exceptions.** The prohibitions in section
4 132D-5 do not apply to:

- 5 (1) The use of flares, noisemakers, or signals for
6 warning, pest control, or illumination purposes by
7 police and fire departments, utility companies,
8 transportation agencies, and other governmental or
9 private agencies or persons, including agricultural
10 operations, in connection with emergencies, their
11 duties, or business; [and]
- 12 (2) The sale or use of blank cartridges for a show or
13 theater, or for signal, commercial, or institutional
14 purposes in athletics or sports[-];
- 15 (3) The purchase and use of consumer fireworks, aerial
16 devices, display fireworks, or articles pyrotechnic in
17 a film or movie production with a valid permit issued
18 by a county fire department under section 132D-10; and
- 19 (4) The testing, disposal, or destruction of illegal or
20 unwanted fireworks by the licensee."



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

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

- 11 (1) Numerals and letters of the printed matter shall be
12 not less than one-eighth of an inch high;
- 13 (2) Required statements shall be printed in a color that
14 contrasts sharply with the background and shall be
15 printed within a borderline; and
- 16 (3) The label shall measure at least [~~nine inches by~~] nine
17 square inches; provided that if the size of the shell,
18 mine, comet, or multiple tube device is too small to
19 correctly display a label of this size, the label may
20 be reduced to a size no smaller than necessary to



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

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

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

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S.B. NO. 2483

Report Title:

Fireworks; Shippers; Prohibitions

Description:

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

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