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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 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, for there to be thorough accounting  
10 and reporting on the importation of fireworks shipments.

11           The legislature acknowledges that the current law  
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 for those persons or  
17 entities defined as "shipper" are necessary. The legislature  
18 notes that the requirements for shipper were inadvertently



1 omitted when this definition was added in a previous legislative  
2 session.

3 The purpose of this Act is to clarify existing law on  
4 fireworks importation by:

- 5 (1) Delineating the responsibilities of those persons or
- 6 entities defined as a "shipper";
- 7 (2) Allowing fireworks to be used in movie or television
- 8 productions and by those authorized to destroy or test
- 9 fireworks; and
- 10 (3) Amending the label size requirement 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 destined, 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 movie or television production with a valid permit  
19 issued by a county fire department under section 132D-  
20 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



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.

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**Report Title:**

Fireworks; Shippers; Prohibitions; Labels

**Description:**

Imposes requirements upon shippers of fireworks. Expands exceptions to the general prohibitions on fireworks. Amends certain fireworks' label size requirements. (SD2)

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

