

JAN 20 2017

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 requires the
3 utilization of multiple modes or methods of transport, including
4 but not limited to interstate maritime transportation and
5 intrastate trucking. The legislature also finds that given the
6 diversity of transportation processes and modes, it is essential
7 to and in the best interest of the health and safety of first
8 responders that the importation of fireworks shipments be
9 thoroughly accounted for and reported.

10 The legislature finds that current law provides
11 requirements for licensed individuals or entities under section
12 132D-8.6, Hawaii Revised Statutes. However, the legislature
13 acknowledges that while the term "shipper" was defined in state
14 fireworks law during a previous legislative session, the
15 requirements for shippers were inadvertently omitted from the
16 law. The legislature therefore finds that to ensure a more
17 comprehensive tracking of all shipments of fireworks imported



1 into the State, additional requirements regarding those persons
2 and entities defined as "shippers" are necessary.

3 The legislature also finds it reasonable to authorize
4 certain acts regarding fireworks, and necessary to clarify a
5 labeling requirement regarding certain fireworks.

6 The purpose of this Act is to amend current state fireworks
7 law by:

8 (1) Delineating the responsibilities of those persons and
9 entities defined as "shippers";

10 (2) Authorizing the use of fireworks, by permit, for film
11 and movie productions;

12 (3) Authorizing the testing, disposal, and destruction of
13 illegal and unwanted fireworks by law enforcement; and

14 (4) Correcting labeling dimensions with regard to display
15 fireworks, articles pyrotechnic, or aerial devices
16 used for a display.

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

20 "§132D- Requirements of shipper. Any shipper that
21 receives fireworks that are imported into the State or



1 transported between counties, before shipment, shall notify the
2 county fire chief of the county to which the shipment is
3 destined as to whether the shipment will be distributed from:

4 (1) Pier to pier;

5 (2) Pier to warehouse or storage facility; or

6 (3) Pier to redistribution."

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

9 "~~§~~132D-6~~§~~ **Exceptions.** The prohibitions in section
10 132D-5 do not apply to:

- 11 (1) The use of flares, noisemakers, or signals for
12 warning, pest control, or illumination purposes by
13 police and fire departments, utility companies,
14 transportation agencies, and other governmental or
15 private agencies or persons, including agricultural
16 operations, in connection with emergencies, their
17 duties, or business; ~~and~~
18 (2) The sale or use of blank cartridges for a show or
19 theater, or for signal, commercial, or institutional
20 purposes in athletics or sports~~[-]~~;



- 1 (3) The purchase and use of consumer fireworks, aerial
2 devices, display fireworks, or articles pyrotechnic in
3 a film or movie production with a valid permit issued
4 by a county pursuant to section 132D-10; and
5 (4) The testing, disposal, or destruction of illegal or
6 unwanted fireworks by an authority having
7 jurisdiction, which shall be an agency responsible for
8 enforcing this chapter."

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

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

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



S.B. NO. 475

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

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

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

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

INTRODUCED BY:

Amn. M.

By Request



S.B. NO. 475

Report Title:

State Fire Council Package; Fireworks; Shippers; Movies;
Destruction; Testing; Labels

Description:

Specifies requirements for fireworks shippers. Authorizes the use, by permit, of fireworks for movie productions. Authorizes the testing, disposal, and destruction of illegal and unwanted fireworks by law enforcement. Corrects labeling dimensions with regard to fireworks used for display.

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

