

STAND. COM. REP. NO.

587

Honolulu, Hawaii

February 17, 2017

RE: H.B. No. 1172  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1172 entitled:

"A BILL FOR AN ACT RELATING TO FIREWORKS,"

begs leave to report as follows:

The purpose of this measure is to increase public safety by clarifying that statements, photographs, video, and other recordings can be used to establish probable cause for the arrest of offenders of Hawaii's fireworks law.

The Hawaii State Fire Council, Honolulu Fire Department, Kauai Fire Department, Poi Dogs & Popoki, and several individuals testified in support of this measure. The Office of the Prosecuting Attorney of the City and County of Honolulu testified in opposition to this measure.

Your Committee notes that the Office of the Prosecuting Attorney of the City and County of Honolulu testified that the definition used to define an aerial device makes it extremely difficult to prosecute individuals arrested for a fireworks violation.

Your Committee has amended this measure by:

- (1) Simplifying the definition of "aerial device";

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- (2) Adding in a provision making a property owner liable and subject to penalties for knowingly allowing an aerial device to be possessed or ignited on the owner's property; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1172, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1172, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Consumer  
Protection & Commerce,



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ANGUS L.K. MCKELVEY, Chair



