

SB2183

Measure Title: RELATING TO FIREWORKS.

Report Title: State Fire Council Package; Fireworks; Shippers; Film and Movie Production; Destruction; Testing; Labels

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

Companion: [HB1780](#)

Package: State Fire Council

Current Referral: TRE, CPH

Introducer(s): KOUCHI (Introduced by request of another party)

DAVID Y. IGE
GOVERNOR

DOUGLAS S. CHIN
LIEUTENANT GOVERNOR



LEONARD HOSHIJO
DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813
www.labor.hawaii.gov
Phone: (808) 586-8844 / Fax: (808) 586-9099
Email: dliir.director@hawaii.gov

February 20, 2018

The Honorable Rosalyn Baker, Chair
Committee on Commerce, Consumer Protection,
and Health
The State Senate
State Capitol, Room 230
Honolulu, Hawaii 96813

Dear Chair Baker:

Subject: Senate Bill (SB) 2183 Relating to Fireworks

I am Manuel P. Neves, Chair of the Hawaii State Fire Council (SFC) and Fire Chief of the Honolulu Fire Department (HFD). The SFC and the HFD support SB 2183, which proposes to clarify the current statute by authorizing permits for fireworks used in movie productions, testing, disposal, or destruction of illegal fireworks; delineating the responsibilities of shippers; and amending the label dimensions of display, pyrotechnic articles, and aerial devices.

Two exceptions to the fireworks prohibitions are added to authorize permits for the use in movie productions and testing, disposal, or destruction of illegal or unwanted fireworks.

This bill will require shippers to notify the county Fire Chief when fireworks leave the port of entry into the State of Hawaii (State) to another pier, a warehouse or storage facility, or for redistribution. Currently, the statute requires licensed importers, wholesalers, or retailers to notify the fire department. The bill would add another safeguard, which will be beneficial when licensed or unlicensed individuals attempt to transport fireworks within the State and do not notify the fire department.

The Honorable Rosalyn Baker, Chair
Page 2
February 20, 2018

This bill also amends the labeling size for display fireworks, pyrotechnic articles, or aerial devices to nine square inches, which is consistent with nationally recognized standards.

The SFC and the HFD urge your committee's support on the passage of SB 2183.

Should you have questions, please contact SFC Administrative Specialist Lloyd Rogers at 723-7176 or lrogers@honolulu.gov.

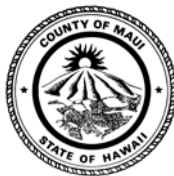
Sincerely,



MANUEL P. NEVES
Chair

MPN/LR:clc

ALAN M ARAKAWA
MAYOR



JEFFREY MURRAY
FIRE CHIEF

LIONEL MONTALVO
DEPUTY FIRE CHIEF

COUNTY OF MAUI
DEPARTMENT OF FIRE & PUBLIC SAFETY

200 DAIRY ROAD
KAHULUI, HI 96732
(808) 270-7561
Fax (808) 270-7919

February 22, 2018

The Honorable Donovan Dela Cruz, Chair
Committee on Ways and Means
The State Senate
State Capitol, Room 208
Honolulu, Hawaii 96813

Dear Chair Dela Cruz:

Subject: Senate Bill (SB) 2186 Relating to Fireworks

I am Jeffrey A. Murray, Member of the Hawaii State Fire Council (SFC) and Fire Chief of the Maui County, Department of Fire and Public Safety (MFD). The SFC and the MFD support SB 2186, which proposes to increase the display permit fee from \$110 to \$300.

This permit authorizes licensed pyro technicians to conduct outdoor aerial and indoor fireworks displays at special events. Although the permit fee has remained the same for 14 years, administrative costs to process, review, and approve have increased. This includes an on-site verification of fireworks inventory before and after the event, inspection of pyrotechnic equipment, safety precautions, evaluation of the firing site, distance to audiences, proximity to adjacent structures and combustible vegetation, and weather conditions are some of the items reviewed.

Public safety and property protection are priorities for the HFD's approval of fireworks permits.

The SFC and the MFD urge your committee's support on the passage of SB 2186.

Should you have questions, please contact SFC Administrative Specialist Lloyd Rogers at 723-7176 or lrogers@honolulu.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey A. Murray".

JEFFREY A. MURRAY
Fire Chief

SB-2183

Submitted on: 2/20/2018 4:01:43 PM

Testimony for CPH on 2/23/2018 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jerald E. Farley	Testifying for American Promotional Events, Inc.	Support	Yes

Comments:

Senator Baker and Honorable Senators of the Committee,

I am writing on behalf of American Promotional Events, Inc.(APE). American Promotional Events, Inc. is a wholesaler and distributor of consumer fireworks doing business in the State of Hawai'i and all other states in which the sale and use of consumer fireworks are legal.

American Promotional Events, Inc. is in support of Senate Bill 2183.

But, we request the addition of two (2) words to Section 3, subsection (4) on page 4 at line 8: "storage," and "repurposing,"

The text of the subsection would then read: "The **storage**, testing, disposal, **repurposing**, or destruction of illegal or unwanted fireworks by an authority having jurisdiction, which shall be an agency responsible for the enforcing of this chapter."

I have made the new, suggested words in bold for ease of identification.

The word "storage" should be added to clearly authorize the agency responsible for enforcing to be able to store these fireworks.

The word "repurposing" should be added so that the agency responsible for enforcing would be authorized to sell these fireworks to a licensed display fireworks company or a licensed consumer fireworks company.

The current language of the bill does not allow this "repurposing" option. Without the addition of this word, the agency could only dispose of--that is throw them in trash--or destroy them. Disposal would surely run afoul of state and federal environmental laws and regulations. Destruction is very costly to the state or county agency that is responsible.

Repurposing would allow the agency to sell the seized product to a display company if the fireworks could be used in a display. For example, seized display fireworks not imported legally or overloaded or mislabeled consumer fireworks that would not be legal for sale to the public but could be used in a display and so they could be sold to a display company. The very high cost of destruction would be avoided.

Repurposing would also allow the agency to sell the seized or unwanted consumer fireworks to a licensed consumer fireworks company that could ship the product out of the State of Hawai'i and into a state where the sale and use of these fireworks are not illegal. For example, a container of aerial consumer fireworks are seized at the dock. These fireworks could be sold to a display fireworks company for use in Hawai'i or they could be sold to a licensed consumer fireworks company that would ship them to a mainland state where they are legal for sale and use. Again, the very high cost of destruction would be avoided.

Earlier this year, I was able to add this term--"repurposing"--to Senate Bill 67 in the State of Utah. The bill will be signed into law by the Governor of Utah.

This problem of how to dispose of seized illegal fireworks is a serious problem in many states. For example, California has many containers of aerial fireworks that were brought into California across the state border from Nevada. California is facing a destruction cost of hundreds of thousands of dollars. When we can get state laws changed in states like California, we can alleviate some of these very high costs of destruction that that state's taxpayers now have to bear.

Hawai'i has the very unique situation that it is an island state. Anything being sent out of Hawai'i can only go by water. It is still expensive to ship fireworks from Hawai'i to the mainland. But, it is far cheaper than destroying the fireworks in Hawai'i.

I have spoken with Chief Bratakos of the Honolulu Fire Department about adding these two words. I believe that his department is favorable to my proposal. Please confirm this directly with his department.

Respectfully, I request the addition of "storage," and "repurposing," to SB 2183 in Section 3(4) on line 8 on page 4.

I will be available to so testify and to answer any questions.

Thank you for your consideration.

Mahalo,

Jerald E. Farley

(206) 713-3388

