

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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LATE

KIRK CALDWELL
MAYOR



SUSAN BALLARD
CHIEF

JOHN D. McCARTHY
JONATHON GREMS
DEPUTY CHIEFS

OUR REFERENCE DC-SAI

February 8, 2019

The Honorable Gregg Takayama, Chair
and Members
Committee on Public Safety, Veterans,
and Military Affairs
House of Representatives
Hawaii State Capitol
415 South Beretania Street, Room 430
Honolulu, Hawaii 96813

Dear Chair Takayama and Members:

SUBJECT: House Bill No. 1097, Relating to Fireworks

I am Major Darren Chun of District 8 (Ewa/Kapolei/Waianae) of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 1097, Relating to Fireworks.

The HPD recognizes that the use of fireworks poses a serious public health and safety hazard and supports a statewide restriction of consumer fireworks, with the exception of special or cultural events and professional public fireworks displays. We support measures that make it easier to arrest and prosecute for the illegal purchase, possession, setting off, igniting, or discharging of fireworks. We also support measures that increase the penalties and consequences for persons convicted of fireworks violations.

In order to deter repeat offenses from occurring, the HPD proposes mandatory minimum sentencing guidelines when imposing fines for convictions of Section 132D of the Hawaii Revised Statutes, as proposed in House Bill 1097.

- (1) Consumer fireworks or any other fireworks or articles not specified in paragraph (2) shall be:
 - (A) For the first conviction, or any conviction not preceded within a ten-year period by a conviction for an offense under this section, imposed a fine of not less than \$1,000.

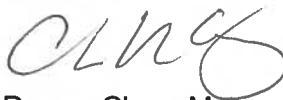
The Honorable Gregg Takayama, Chair
and Members
February 8, 2019
Page 2

- (B) For a conviction that occurs within ten years of a prior conviction for an offense under this section imposed a fine of not less than \$2,000.
 - (C) For a conviction that occurs within ten years of two prior convictions for offenses under this section, shall be guilty of a Class C felony and imposed a fine of not less than \$5,000.
- (2) An aerial device, display fireworks, or articles pyrotechnic shall be guilty of a:
- (A) Class C felony for a first conviction of this section; or,
 - (B) Class B felony for a second or subsequent conviction of this section that is committed within two years of a prior conviction of this section.

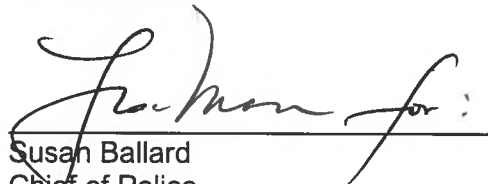
The HPD respectfully supports House Bill No. 1097, Relating to Fireworks.

Thank you for the opportunity to testify.

Sincerely,


for Darren Chun, Major
District 8

APPROVED:


Susan Ballard
Chief of Police

February 7, 2019

Committee on Public Safety, Veterans & Military Affairs
House of Representatives
State Capitol, Room 323
Honolulu, HI 96813

LATE

Re: House Bill 1097, Relating to Fireworks

Dear Chair Takayama and members of the committee,

As a licensed professional fireworks display company, we would like to propose an amendment to the language in HB 1097, which proposes to Amend HRS 132D by adding language prohibiting the ignition of fireworks from any public way.

The bill currently adds a section stating "*It shall be unlawful for any person to set off, ignite, discharge, or otherwise cause to explode any fireworks or articles pyrotechnic from any public highway, alley, street, sidewalk, or other public way.*"

We would like to propose adding the phrase "without a permit issued under section 132D-10" into this statement as follows:

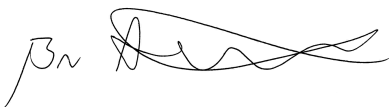
*"It shall be unlawful for any person to set off, ignite, discharge, or otherwise cause to explode any fireworks or articles pyrotechnic from any public highway, alley, street, sidewalk, or other public way **without a permit issued under section 132D-10.**"*

Our company is in support of the intent of this bill to make unlawful the setting off of fireworks on roadways or other public thoroughfare.. However, we recognize that there are instances when it is desired to have fireworks on roadways. An excellent example of this is the upcoming Dragon Dance for the annual Honolulu Festival Parade in Waikiki. This measure, if enacted, may also jeopardize similar public events commemorating the Chinese Lunar New Year.

We recommend that the use of fireworks be allowed on public ways under certain circumstances and after careful review by the respective Fire Departments or other authorities having jurisdiction. In our opinion, allowing the permit process specified in HRS 132D-10 to evaluate the suitability of the intended display would suffice to ensure public safety and suitability.

Thank you for your careful consideration of this measure. We would be happy to answer any questions you may have related to this issue.

Sincerely,



Bruce Albrecht
Operations Manager
Hawaii Explosives & Pyrotechnics, Inc.

(808)968-0600



improving the quality of lives of pets and their people.

LATE

Testimony by Alicia Maluafiti, Board President Poi Dogs & Popoki
In strong support of HB 1097 - Relating to Fireworks
House Committee on Public Safety, Veterans, and Military Affairs
Friday, Feb. 8, 10 am, room 430

Aloha Chair Takayama and members of the Committee,

Poi Dogs & Popoki (PDP) is a nonprofit animal welfare organization with a mission to help people and their pets. We are in strong support of HB 1097 because we believe it will make people think twice about the illegal use of fireworks on their property or be penalized for the activity. The bill also provides another tool in the toolbox for those of us looking for respite from the inconsiderate and constant barrage of bombs invading our communities.

The most recent bombing in Ewa Beach was last Sunday following the Super Bowl. I had to rush outside after hearing the first bomb at about 5 pm. It was still daylight so these are not flashy aerials for viewing. They are simply bombs. For the next hour – I had to sit and hold a shaking 100 pound mastiff who will climb out of a 6 foot high chainlink fence and in his fear – attack my other dogs. This past year – the bombs started in early October they continued nightly through the first week of January. Add in a win by any MMA fighter or Alabama or other sporting event with Hawaii ties and that adds up to constant disruption in my life and the life of my animals.

For the second year – after sedating my dogs on New Years Eve – I walked a one-square mile around my neighborhood and identified the same properties year after year who are setting off illegal fireworks. And again – these are not just pretty flashy aerials. But the bombs that shake your house and set off car alarms. And they are the bombs that send my animals running in fear.

I have fought for strongly fireworks laws for the past 4 years. But this past year was the first time that I saw overwhelming disgust and frustration by people all over the state. People are tired of it. For the most part – even I can agree that I can put up with and plan for New Years Eve from 9 pm to 1 am. But because these people cannot follow the law, we need stronger penalties. I know where they live. I know who they are. And I am looking for a hammer to shut them down and hold them responsible for the crime and penalties that go with it. Its time to pay the consequences for poor decisions.

Entertainment does NOT trump quality of life. Please pass HB 1097.

HB-1097

Submitted on: 2/6/2019 9:47:25 AM

Testimony for PVM on 2/8/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Victor K. Ramos	Individual	Support	No

Comments:

HB-1097

Submitted on: 2/6/2019 12:38:10 PM

Testimony for PVM on 2/8/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Karin Nomura	Individual	Support	No

Comments:

HB-1097

Submitted on: 2/6/2019 6:44:48 PM

Testimony for PVM on 2/8/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dennis Tingey	Individual	Support	No

Comments:

Feb. 6, 2019

Dear Honorable members of the House Public Safety, Veterans, and Military Affairs:

As longtime residents and homeowners we wish to go on record to support HB 1097, hearing scheduled 2/8/19 @ 10AM. Illegal fireworks have gotten worse every year. Aside from dangerous, a fire hazard and health hazard, the loud booms destroy the peace for the majority of the residents. These bombs also terrify pets all for the gratification of a minority that enjoy this illegal and dangerous activity.

We believe HB 1097 would make it clear to law enforcement that they cite those using fireworks on public property the most common the sidewalks and streets that front their properties.

Please approve and advance this bill.

Respectfully yours,

Dennis & Edith Tingey

Makakilo, HI

HB-1097

Submitted on: 2/6/2019 7:30:54 PM

Testimony for PVM on 2/8/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joy Inada	Individual	Support	No

Comments:

I support this bill as I used to pop fireworks but now that I'm a dog owner, I no longer am fond of aerals that are played all year round after sporting events or for specific celebrations . One of my dogs is elderly and cant take meds for fear he may not wake up. I'm startled when gas bombs go off for no given reason. And also seeing little unsupervised kids isn't fun either.

HB-1097

Submitted on: 2/6/2019 10:26:07 PM

Testimony for PVM on 2/8/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Athena Robello	Individual	Support	No

Comments:

Please pass this bill. My animals & small children can not take another New Years like the one we had this past December. It has gotten TOO much with the bombs and fireworks going off for weeks preceding the New Year.

HB-1097

Submitted on: 2/7/2019 9:59:29 AM

Testimony for PVM on 2/8/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Katherine Linster	Individual	Support	No

Comments:

I strongly support and urge the passage of HB 1097 for the health and safety of our community. It is highly dangerous and poses an extreme hazard to allow individuals to set off what is essentially an explosive, an illegal one at that, on public or private lands. The fire hazard, the trauma of the explosions to people and pets, and the safety hazard to allow these illegal explosive devices in our community is simply unacceptable. The cultural argument falls flat and is an attempt by those committing illegal acts to conflate the use of legal fireworks with illegal fireworks and devices. It is not cultural to endanger yourself, your community, and harm people and property for the sake of a "boom" or some lights in the sky. We have regulated such hazardous activity and the practice of illegal and hazardous activity should not be allowed on public or private lands. It is irresponsible and it's a matter of when not if, the disaster will occur due to these illegal explosive devices. This bill strengthens enforcement of existing prohibitions and will serve to advance the safety of our community.

HB-1097

Submitted on: 2/7/2019 10:22:07 AM

Testimony for PVM on 2/8/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Danelle Guion	Individual	Support	No

Comments:

Submission of Testimony

From: Danielle A. Guion
To: Committee on Public Safety, Veterans & Military Affairs
Hearing Date: February 8, 2019; 10:00 a.m.
Measure: HB 1097 Relating to Fireworks

I support HB 1097 because it is high time the State of Hawaii consider the majority of citizens and enforce the laws already in place. HB 1097 my not be enough to stop the madness but it is another attempt I support.

It's unfortunate that a handful of citizens are allowed to hijack our peace and sense of security on what used to be a fun holiday. Previous new years celebrations have been noisy but NOT upsetting like the LITERAL BOMBS that have been appearing in the last few years!

I found myself, on December 31st feeling sorry for not just my pets but for babies and wildlife who have no understanding of this horror we had to ENDURE! I was also upset that my house might be shaken off its foundation; elders must be unnerved, and even that our fragile and aging infrastructure could be at risk by these LITERALLY GROUND SHAKING devices. I can't EVEN fathom what our veterans, ESPECIALLY those suffering from PTSD, must be experiencing!

Please find yourself in support of HB 1097, yet anOTHER initiative to stop this abhorrent behavior and any other means to restore sanity to our unique culture and home.

Mahalo

HB-1097

Submitted on: 2/7/2019 11:29:18 AM

Testimony for PVM on 2/8/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Chuck Spence	Individual	Support	No

Comments:

As a resident of Haiku, Maui, I testify that the fireworks in and around the community are out of control. They strike unnecessary fear (and in some cases death) in the animals we care for, particularly our beloved pets and our farm animals. Living in an agricultural zone that allows fireworks is incongruous and should be strictly prohibited. Additionally, no one abides by the current laws and sets off overpowered, illegal fireworks at all hours, particularly during holidays like New Years and July 4th.

It is not fair to the taxpayer, burdened with more expenses incurred by the police and fire departments.

The hard working farmers and pet owners of Maui implore you to vote in favor of HB1097.

HB-1097

Submitted on: 2/7/2019 11:56:41 AM

Testimony for PVM on 2/8/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kelley Streadbeck	Individual	Support	No

Comments:

LATE

HB-1097

Submitted on: 2/7/2019 1:03:30 PM

Testimony for PVM on 2/8/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Christopher M Profio	Individual	Support	No

Comments:

Illegal fireworks cause havoc on Maui every year. It's not uncommon for fireworks to be exploded nightly from Halloween until after New Year's. Our dogs are traumatized by the noise, the air is polluted by the smoke, and the debris left behind in the streets from these illegal fireworks being set off runs into the storm drains and into the oceans.

The Maui Police do not seem to enforce existing laws against illegal fireworks because they do not patrol my neighborhood where they could see and hear violations. Instead, they say the "chase [fireworks] calls" but never seem to make any arrests. The police need to get out of their cars and patrol the problem neighborhoods on foot [or better yet, on bicycle] in order to be present when the violations are occurring and be able to take enforcement action. I know from my own prior law enforcement experience that this tactic works, but the local police do not seem able to work proactively against the problem.

The flow of illegal fireworks must therefore be stopped when they are shipped into the state. Greater efforts should be made to detect and intercept these shipments. Further, the existing laws against illegal fireworks need to be properly enforced.

LATE

Testimony in Support of HB 1097

HOUSE COMMITTEE ON PUBLIC SAFETY, VETERANS, AND MILITARY AFFAIRS
Representative Gregg Takayama, Chair
Representative Cedric Asuega, Vice Chair

SB 1097 RELATING TO FIREWORKS

February 08, 2019

Aloha Chair Takayama and members of this Committee,

My name is Homelani Schaedel. I'm a resident of Malu'ohai homestead in Kapolei for the past 17 years.

In 2018, use of illegal fireworks was extremely excessive not only in our homestead, but within the Kapolei and Makakilo communities.

As a wife and mother of veterans who served in Viet Nam, Desert Storm, Iraq, and Kuwait it is very upsetting to see to my husband and sons go through and deal with the aftermath of these unexpected bursts that have a far lasting effect of anger, anxiety, sleepless nights, unwanted memories and/or nightmares related to PTSD.

In 2010 Act 170, established an Illegal Fireworks Task Force to develop a plan and make recommendations to:

- . Stop the importation of illegal fireworks and explosives into Hawaii; and
- . Develop a strategy to ensure the safety and security of the airports, harbors, and other facilities and institutions in Hawaii against the discharge of illegal fireworks and explosives.

Rationale for the Act, was because the Legislature found that each year, the use of illegal fireworks continues to increase, posing a public safety risk.

The task force consisted of 33 members from the State Legislature, Federal, State, and all County Departments; Fireworks, Shipping and Trucking Industries who provided the following recommendation:

- . Increasing random cargo inspections; promoting education and training on appropriate uses of fireworks.
- . Directing revenues from fireworks fees and fines toward public education, law enforcement, and government monitoring of the fireworks industry;
- . Fostering cooperation between stakeholders; and
- . Increasing penalties for fireworks violations or decriminalizing fireworks offenses in favor of civil penalties.

I am in full support of this bill to assess higher fines, penalties, and probation to individuals who set off illegal fireworks without the proper license or permit.

While this bill addresses compensation for bodily injury, I request it be amended to include liability for payment of all medical expenses.

I'm hopeful that with support from the legislature we can find a solution that is elusive to a very invasive problem within our communities.

Mahalo for the opportunity to provide my testimony.

LATE

Representative Gregg Takayama, Chair
Representative Cedric Asuega Gates, Vice Chair
House Committee on Public Safety, Veterans & Military Affairs

Testimony of Jame K. Schaedel

Friday, February 8, 2019

Support for House Bill No. 1097 – Relating to Fireworks

WRITTEN TESTIMONY ONLY

Thank you for the opportunity to offer testimony in **support** for House Bill No. 1097. This bill proposes to prohibit any person from unlawfully setting off any kind of fireworks from any public highway, street, or road, etc., imposes penalties on any person who unlawfully sets off fireworks from any public highway, street, or road, etc., and would make a person liable for injury to another person or another person's property which was caused by the person who unlawfully sets off any kind of fireworks.

I offer this testimony as a private citizen.

Individuals continue to irresponsibly detonate aerial devices and articles pyrotechnic, aka fireworks, in dense residential communities such as Kapolei. In 2018, "fireworks season" began on November 1st, and abruptly ceased on January 7, 2019 because the Alabama Crimson Tide football team did not win the College Football Playoff national championship game. In 2017, the season started later in the year and finished when the Philadelphia Eagles beat the New England Patriots at Super Bowl LII. Mr. Chair, at its worst, imagine loud, unanticipated explosions which shake the windows of a Pacific Palisades home every hour, for 3-4 hours, every single night for 30 or more days straight with the grand finale on New Year's Eve.

I served in our nation's armed forces in the United States Army Reserve and the Hawai'i Army National Guard for nearly a decade. I was deployed overseas and returned from Operation Iraqi Freedom 08-09 in September 2009, but I was not prepared for what awaited me later in the year. I write as a veteran, but not on behalf of other veterans because they have their own unique opinions and experiences.

In the beginning, the bright flashes of light and detonations were unexpected and I responded accordingly based on my training from the military. I distinctly remember leaving the Capitol late one evening because I was preparing for the Regular Session of 2010. I was driving on the H-1 freeway near the Middle Street split when I observed a bright flash of light, heard a loud explosion, and thought it was an Improvised Explosive Device (IED). It took me nearly a minute to calm down and realize that I was at home in Hawai'i and safe. Thankfully, I have been able to adapt to and anticipate fireworks detonations over the past couple of years.

There are many veterans afflicted with Post Traumatic Stress Disorder (PTSD), and they are unable to adapt to and anticipate fireworks detonations. Each veteran reacts to these detonations in their own way. An unexpected detonation startled me in December 2016 while I was watching television at home which made me jump out of my chair. Some veterans jump out of their living room chair, some say expletives, and others drop to the ground, which was what I did on more than one occasion in December 2018. However, it saddens me to observe this kind of reaction and more, tenfold, from my father nearly every single time an irresponsible individual detonates an aerial device in my Kapolei neighborhood.

Aerial devices have also been getting louder and stronger over the past couple of years. I am able to anticipate most aerial devices because the initial shot sounds like it originated from a mortar tube. The biggest difference now is that aerial devices are louder and shake the house more often than not. Veterans, like my father, residing in dense residential communities should not have to cope with these traumatic experiences within the confines and safety of their own homes.

I respect that firecrackers and fireworks are a distinct part of culture in Hawai'i. Every friend I know from Hawai'i grew up with firecrackers, bottle rockets, jumping jacks, and watching uncle light an aerial device into the night sky. Families join together at homes, parks, and other locations to celebrate the approaching New Year. I am not opposed to aerial devices and articles pyrotechnic during Independence Day, New Year's Eve and Day, and the Lunar New Year. However, multiple detonations, every evening, over the course of 30 days or more can no longer be tolerated in dense residential communities.

Furthermore, I have observed professional fireworks companies prepare professional fireworks shows which require approval from various local, state, and federal regulatory agencies. A 24 hour fire watch is also maintained once the fireworks arrive due to amount of explosive material being stored in a single area or vehicle because of the explosive hazard it poses. While professional companies store their fireworks in bunkers, irresponsible property owners store vast amounts of fireworks in their homes which places them, their family, and their neighbors at risk.

I strongly believe this bill will allow law enforcement agencies and their officers to effectively enforce the Fireworks Control Law which will ensure the initiation of, and maintain the prosecution of cases before the Judiciary which hold irresponsible individuals accountable to the law. I implore you to pass this bill, un-amended, with a recommendation for passage on Second Reading.

Respectfully,

Jame K. Schaedel
Kapolei, Hawai'i

LATE

HB-1097

Submitted on: 2/7/2019 7:31:28 PM

Testimony for PVM on 2/8/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa J Sims	Individual	Support	No

Comments:

Not only are there many illegal fireworks being discharged but the noise and litter is a great problem. Police must stop the import of the fireworks as enforcement is virtually impossible. Illegal fireworks are being shipped to Hawaii in containers that are not being checked. Animals and people, especially with PTSD, are greatly affected.

HB-1097

Submitted on: 2/7/2019 8:46:40 PM

Testimony for PVM on 2/8/2019 10:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
gerraine	Individual	Support	No

Comments:

As a long-suffering resident from illegal fireworks, impossible to control due to faulty laws, I strongly support stiff penalties and laws to punish illegal sale/use of fireworks.

Members of my family have had to go to the hospital from asthmatic attacks.

Our animals go crazy, for MONTHS before and after New Years.

Our homes are is jeopardy of catching fire.

Pet owners suffer trying to deal with terrified pets. We VOTE!!!

HB-1097

Submitted on: 2/7/2019 8:56:56 PM

Testimony for PVM on 2/8/2019 10:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Christie Brookman	Individual	Support	No

Comments:

Please do help us from the onslaught of fireworks. My neighborhood sounded like a warzone for a week surrounding New Year's Eve. I have impacted dogs and horses, and even though I am not affected with PTSD, the onslaught was very very unsettling and often mixed with gunfire and cannon fire. Since we live in Orchidland, a very large neighborhood on the Big Island, I feel your verbiage should include privately owned roads such as these if possible. Thank you, Christie Brookman

LATE

HB-1097

Submitted on: 2/7/2019 10:47:37 PM

Testimony for PVM on 2/8/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Jean Minor	Individual	Support	No

Comments:

I support this bill because illegal fireworks have become a big problem. The noise continues for literally weeks, both before and after the holiday. No one cleans up their messes the next morning. Parks, streets, esp the beach, it's a big mess.

LATE

HB-1097

Submitted on: 2/7/2019 11:48:45 PM
Testimony for PVM on 2/8/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
DyannaYost	Individual	Support	No

Comments:

For the first time we had illegal fireworks in our subdivision this New Year, which started early and continued until well after 1 AM. We are 25 miles out of town and on water catchment. Water is a commodity to those of us here. Not only are the illegal fireworks terrible for our pets as I heard dogs howling and barking due to the sheer terror from the loud bombs. Our homes are in jeopardy too. If one home burns, it could spread to others. Please help stop illegal fireworks in our neighborhoods statewide.

Mahalo,

Dyanna Yost

LATE

HB-1097

Submitted on: 2/7/2019 11:53:35 PM

Testimony for PVM on 2/8/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
John R Kercheval	Individual	Support	No

Comments:

I am submitting this testimony in support of HB1097, which stops the use of illegal fireworks on public property

I am a hospital physician at Kona Community Hospital and a 41-year veteran of the military with multiple combat tours with battalion size units in Afghanistan. I have worked with military veterans throughout my military and medical careers. A number of these veterans simply dread the days on either side of several holidays here in Hawaii. The reason for their dread is the tremendous number of illegal fireworks which are detonated at all times of the day or night and in any number of indiscriminate locations. I consider myself fortunate that in spite of experiencing many episodes of shelling, mortars and rocket attacks while deployed, I have been able to make the adjustment and have no significant sequelae from these encounters. Many of my fellow service members are not so fortunate. Holidays and the multiple explosions which occur with no warning and in any location cause recurrent trauma and anxiety.

Additionally, I live in an area of Hawaii Island called Kona Paradise. We are a development of over one-hundred homes which are remote from town and on water catchment. The indiscriminate launching of illegal fireworks places the community as a whole at risk. As we say here, "if one burns, we all burn."

I know of no one that seeks to end the controlled, legal use of fireworks or to halt commercial displays by professionals. I do believe that we need improved control of the import of illegal fireworks and greatly improved enforcement and attention by law enforcement to end the use of illegal fireworks.

Thank you

Dr John R Kercheval

DAVID Y. IGE
GOVERNOR

JOSH GREEN
LIEUTENANT GOVERNOR



LEONARD HOSHIJO
DIRECTOR

LOIS IYOMASA
DEPUTY DIRECTOR

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LATE

February 7, 2019

The Honorable Gregg Takayama, Chair
Committee on Public Safety, Veterans,
and Military Affairs
House of Representatives
State Capitol, Room 323
Honolulu, Hawaii 96813

Dear Chair Takayama:

Subject: House Bill (HB) 1097 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 supports the intent of HB 1097, which proposes to prohibit the setting off of fireworks from any public highway, alley, street, sidewalk, or other public way. It also imposes various penalties for different fireworks violations.

Hawaii Revised Statutes (HRS) 132D-5 currently lists several other prohibitions, including the one proposed in this bill. HRS 132D-14 has several penalty provisions, and the proposed bill penalties may be more appropriately placed in this section. The compensation and garnishment section of the bill would be a new section which seeks to award fireworks injury victims or property owners compensation for damages. The SFC fully supports increased penalties for fireworks violations and compensating injury victims and owners for property damages.

Public safety and property protection are priorities for the SFC, and we respectfully request your committee's passage of HB 1097 with any appropriate revisions.

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

LATE

HB-1097

Submitted on: 2/8/2019 8:20:48 AM

Testimony for PVM on 2/8/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jackie G	Individual	Support	No

Comments:

1. the ban of Fireworks and only limiting the amount you can buy each year, the illegal fireworks has gotten out of control. No one is abiding by the law in regards to fireworks. I used to love fireworks, but because they are set off all year around, I HATE THEM. They are set off when there's a MAA fight, a Bruno Mars concert, because its Halloween or Thanksgiving, and the list goes on. It makes me upset due to those not following the law and lighting them off on other days instead of Dec 31 and July 4th. How is one to prepare for none holiday days?
1. have dogs who are extremely afraid of fireworks. Every time fireworks were set off outside of the holiday of Dec 31st and July 4th, my dogs would have stress attacks. They run and hide, burrow in our closet or try to jump up in our laps. It's not fair! We don't have any time to prepare ourselves for a mortar that will sound off or aerials being set off. We can't prep our animals to keep them safe from the noises they produce.

I am a Facebook user, and I can say that this was the worst ever for loose animals lost and/or found in residential communities. One week alone, in Waimanalo, there were 4 different dogs that got loose because of fireworks and had gotten hit by cars and it wasn't New Year's Eve. It was a few weeks leading up to it. The owners were unable to prepare for these surprise booms by securing their animals or sedating them, but why would we need to if the community would follow the law?

Paw Posse Ohana, is a Facebook page that is organized by volunteers whom help on Social Media find lost/ found pets and return them to their owners. In November, there were 263 pets that were reunited with their families, this was an average of 8.5 pets a day. In December, they helped get 308 back home to their families, this is approximately 10 animals a day were reunited. In January, 287 animals were found/ lost and reunited with their families, that's an average of 9 animals per day. You can see the months leading up to New Year's Day they increase due to those in the community lighting off early fireworks and causing a lot of problems for those with pets. Within in these monthly numbers there were some deceased pets they were able to track down the owners to provide closure for their lost pet.

Families with pets aren't the only ones who struggle with illegal fireworks. What about Veterans that have PTSD? How do they cope with unexpected illegals going off?

Something has to be done! How are these coming into our island? Shipments from overseas must be monitored. Someone on the front line is getting paid a lot of money in allowing these illegal fireworks to get through our customs and on to our streets.

Unless we band fireworks all together, I feel this will be an ongoing problem. Allowing any into the state for recreational use only allows for this to continue.

I support banning and making tougher laws against fireworks. Our pets and Veterans depend on it!

Aloha,

Jackie Gravener

HB-1097

Submitted on: 2/8/2019 9:46:19 AM

Testimony for PVM on 2/8/2019 10:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
De MONT R. D. CONNER	Ho'omanapono Political Action Committee (HPAC)	Comments	Yes

Comments:

WE JUST OFFER COMMENTS OF THE OVERLY BROAD RESTRICTIONS ON SETTING OFF FIREWORKS. HOLDING ACCOUNTABLE INDIVIDUALS WHO SET OFF FIREWORKS ON THE FREEWAY/HIGHWAY OR OTHER TRUE PUBLIC SPACES. HOWEVER, TO PENALIZE PEOPLE FOR SETTING OFF FIREWORKS IN THEIR PARKING SPACES THAT FRONT THEIR HOMES ON THE PUBLIC ROADS OR ON THE SIDEWALKS THAT FRONT OUR HOMES, IS A GOVERNMENTAL OVERREACH. PLEASE CLARIFY THE BILL.

HB-1097

Submitted on: 2/8/2019 1:59:40 PM

Testimony for PVM on 2/8/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
tony frascarelli	Individual	Support	No

Comments:

Finally, some common sense legislation.