

JAN 23 2020

A BILL FOR AN ACT

RELATING TO FIREWORKS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 132D-2, Hawaii Revised Statutes, is
2 amended by amending the definition of "aerial device" to read as
3 follows:
4 "Aerial device" means any fireworks [~~containing one~~
5 ~~hundred thirty milligrams or less of explosive materials~~] that
6 produces an audible or visible effect and is designed to rise
7 into the air and explode or detonate in the air or to fly about
8 above the ground, and that is prohibited for use by any person
9 [~~who does not have a permit for display issued by a county under~~
10 ~~section 132D-16~~]. "Aerial devices" [~~classified as fireworks~~
11 ~~under UN0336 and UN0337 by the United States Department of~~
12 ~~Transportation as set forth in Title 49 Code of Federal~~
13 ~~Regulations~~] include firework items commonly known as bottle
14 rockets, sky rockets, missile-type rockets, helicopters,
15 torpedoes, daygo bombs, roman candles, flying pigs, and jumping
16 jacks that move about the ground farther than a circle with a



1 radius of twelve feet as measured from the point where the item
2 was placed and ignited, aerial shells, and mines."

3 SECTION 2. Section 132D-14.5, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "[+]§132D-14.5[+] Liability of homeowner, renter, or
6 person otherwise responsible for real property. A homeowner,
7 renter, or person otherwise responsible for the real property
8 who intentionally, knowingly, or recklessly allows an
9 individual, while on the real property, to possess, set off,
10 ignite, or otherwise cause to explode any aerial device shall be
11 deemed to be in civil violation of this chapter and shall be
12 subject to the [~~penalties specified in section 132D-14(a)(2) and~~
13 ~~(b).~~] maximum fine allowed under law."

14 SECTION 3. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:



Kal Rhoad

Anna Mercedes Ki



S.B. NO. 2948

Report Title:

Fireworks; Aerial Device; Civil Violation

Description:

Imposes a civil penalty subject to the maximum fine allowed under law for a homeowner, renter, or person otherwise responsible for the real property who intentionally, knowingly, or recklessly allows an individual, while on the real property, to possess, set off, ignite, or otherwise cause to explode any aerial device. Amends the definition of "aerial device".

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