

JAN 27 2021

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# A BILL FOR AN ACT

RELATING TO FIREWORKS.

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

1       SECTION 1. The legislature acknowledges the multitude of  
2 health and safety issues relating to the illegal use of  
3 fireworks in Hawaii.

4       The purpose of this Act is to reduce the penalty for  
5 fireworks offenses to a civil violation with the intended goal  
6 of achieving more expeditious enforcement of fireworks laws.

7       SECTION 2. Section 132D-14, Hawaii Revised Statutes, is  
8 amended by amending subsection (a) to read as follows:

9       "(a) Any person:

10       (1) Importing aerial devices, display fireworks, or  
11 articles pyrotechnic without having a valid license  
12 under section 132D-7 shall be guilty of a class C  
13 felony;

14       (2) Purchasing, possessing, setting off, igniting, or  
15 discharging aerial devices, display fireworks, or  
16 articles pyrotechnic without a valid permit under  
17 sections 132D-10 and 132D-16, or storing, selling, or



1       possessing aerial devices, display fireworks, or  
2       articles pyrotechnic without a valid license under  
3       section 132D-7, or allowing an individual to possess,  
4       set off, ignite, or otherwise cause to explode any  
5       aerial device in violation of section 132D-14.5:

6       (A)   If the total weight of the aerial devices,  
7             display fireworks, or articles pyrotechnic is  
8             twenty-five pounds or more, shall be guilty of a  
9             class C felony; or

10       (B)   If the total weight of the aerial devices,  
11             display fireworks, or articles pyrotechnic is  
12             less than twenty-five pounds, shall be guilty of  
13             a misdemeanor; provided that purchasing,  
14             possessing, setting off, igniting, or discharging  
15             aerial devices, display fireworks, or articles  
16             pyrotechnic without a valid permit under sections  
17             132D-10 and 132D-16 shall be a civil violation if  
18             the total weight of the aerial devices, display  
19             fireworks, or articles pyrotechnic is less than  
20             twenty-five pounds. A person issued a civil



citation pursuant to this paragraph shall be  
subject to a fine of \$ \_\_\_\_\_;

- (3) Who transfers or sells aerial devices, display fireworks, or articles pyrotechnic to a person who does not have a valid permit under sections 132D-10 and 132D-16, shall be guilty of a class C felony; and
- (4) Who removes or extracts the pyrotechnic contents from any fireworks or articles pyrotechnic and uses the contents to construct fireworks, articles pyrotechnic, or a fireworks or articles pyrotechnic related device shall be guilty of a misdemeanor."

SECTION 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 4. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

INTRODUCED BY: \_\_\_\_\_

A handwritten signature in black ink, appearing to be "R. L. Smith", written over a horizontal line.

# S.B. NO. 1020

**Report Title:**

Fireworks; Possession; Penalty Reduction

**Description:**

Reduces the offense of purchasing, possessing, setting off, igniting, or discharging aerial devices, display fireworks, or articles pyrotechnic under a weight of twenty-five pounds without a valid permit to a civil violation.

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

