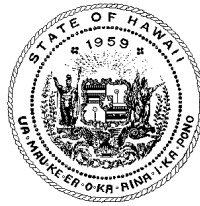


DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

MAX N. OTANI
DIRECTOR

Maria C. Cook
Deputy Director
Administration

Tommy Johnson
Deputy Director
Corrections

Jordan Lowe
Deputy Director
Law Enforcement

No. _____

**TESTIMONY ON SENATE BILL 513
RELATING TO ENFORCEMENT OF LAWS.**

By
Max N. Otani, Director

Senate Committee on Public Safety, Intergovernmental, and Military Affairs
Senator Clarence K. Nishihara, Chair
Senator J. Kalani English, Vice Chair

Tuesday, February 16, 2021; 1:00 p.m.
Via Video Conference

Chair Nishihara, Vice Chair English, and Members of the Committee:

The Department of Public Safety (PSD) offers comments on Senate Bill (SB) 513, which would increase the fireworks display permit fees and increase the maximum fines for fireworks violations. The measure would also create a separate criminal offense for the illegal sales of certain display fireworks, aerial devices, and pyrotechnic articles and increase the penalty for removing or extracting the pyrotechnic contents. In addition, SB 513 would require the Department of the Attorney General to establish an explosion detection technology working group and require PSD to develop and implement a web-based firework reporting tool. The measure also seeks to authorize PSD's Sheriffs Division to enforce the fireworks control laws and appropriate funds for that purpose.

PSD supports SB 513's proposal for increased fees and penalties to deter the illegal use of fireworks. The Department also supports the implementation of a program to disrupt the flow of illegal fireworks and respectfully offers the following additional comments.

In our view, the establishment of a viable enforcement program will require consideration of the inherent dangers in the improper handling and removal of explosives materials from fireworks. These considerations necessitate the specialized training of personnel in the safe detection, handling, and disposal of explosive materials, beyond their basic training in law enforcement. LEOs assigned to a fireworks enforcement team must be further trained in the recognition and classification of consumer fireworks (Department of Transportation [DOT] classification 1.4) and display fireworks (DOT classification 1.3). An additional explosive detection canine and handler will also be required to round out the team. PSD respectfully requests the authorization for the hiring of five LE Officers to be specially trained in this initiative, as well as for one explosive detection canine and handler team.

The Department must also develop a shipping container inspection program and be given authorization to review domestic and foreign shipping manifests to narrow the scope of shipping containers to be inspected. In addition to National Guard assets, PSD shall coordinate with the U.S. Coast Guard Service, the federal Consumer Product Safety Commission, State of Hawaii DOT Harbors Division, and the U.S. Department of Homeland Security.

Appropriations of approximately \$950,000 per year must be allocated to PSD for the effective detection, safe storage, and disposal of illegal fireworks.

Appropriations of approximately \$150,000 per year must be allocated to PSD for the development and maintenance of the web-based fireworks reporting system.

Thank you for the opportunity to present this testimony.

DAVID Y. IGE
GOVERNOR

JOSH GREEN
LIEUTENANT GOVERNOR



ANNE E. PERREIRA-EUSTAQUIO
DIRECTOR

JOANN A. VIDINHAR
DEPUTY DIRECTOR

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February 12, 2021

The Honorable Clarence Nishihara, Chair
Committee on Public Safety, Intergovernmental
and Military Affairs
The State Senate
State Capitol, Room 214
Honolulu, Hawaii 96813

Dear Chair Nishihara:

Subject: Senate Bill (SB) 513 Relating to the Enforcement of Laws

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 513, which proposes to increase fireworks display permit fees, increase fines for certain fireworks violations, require the Attorney General to establish an explosion detection technology working group, and require the Department of Public Safety to develop and implement a web-based fireworks reporting tool.

The SFC and the HFD fully support increased fines for fireworks violations and collaboration with other government agencies to reduce the use of fireworks by the general public. The widespread use of fireworks endangers the public, not only when it is being used, but also when it is transported throughout the state. Deaths and serious injuries have occurred along with property damage. Neighborhoods are impacted by noise and pollution, veterans are reminded of combat conditions, and animals are traumatized for weeks and sometimes months preceding these holiday celebrations. While fireworks injuries occur primarily to children, an adult male who lived on Kauai succumbed to fatal injuries sustained from a fireworks explosion on December 31, 2020. Hawaii news media reports at least seven others, including juveniles, were injured from fireworks misuse on New Year's Eve 2020.

The increase in fines may deter individuals from the illegal use of fireworks and the proposed multiagency effort to increase scrutiny of fireworks violations will curtail this

The Honorable Clarence Nishihara, Chair
Page 2
February 12, 2021

growing problem. The general welfare, public safety, and property protection are priorities for the SFC and the HFD, and we respectfully request your committee's passage of SB 513.

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 'M. Neves', with a stylized flourish at the end.

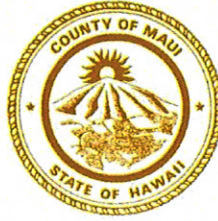
MANUEL P. NEVES
Chair

MPN/GL:cs

MICHAEL P. VICTORINO
Mayor

DAVID C. THYNE
Fire Chief

BRADFORD K. VENTURA
Deputy Fire Chief



DEPARTMENT OF FIRE & PUBLIC SAFETY

COUNTY OF MAUI
200 DAIRY ROAD
KAHULUI, HI 96732

February 16, 2021

The Honorable Clarence Nishihara, Chair
Committee on Public Safety, Intergovernmental
and Military Affairs
The State Senate
State Capitol, Room 214
Honolulu, Hawaii 96813

LATE

Dear Chair Nishihara:

Subject: Senate Bill (SB) 513 Relating to the Enforcement of Laws

I am David C. Thyne, member of the Hawaii State Fire Council (SFC) and Fire Chief of the Maui Fire Department (MFD). The SFC and the MFD support SB 513, which proposes to increase fireworks display permit fees, increase fines for certain fireworks violations, require the Attorney General to establish an explosion detection technology working group, and require the Department of Public Safety to develop implement a web-based fireworks reporting tool.

The SFC and the MFD fully support increased fines for fireworks violations and collaboration with other government agencies to reduce the use of fireworks by the general public. The widespread use of fireworks endangers the public, not only when it is being used, but also when it is transported throughout the state. Deaths and serious injuries have occurred along with property damage. Neighborhoods are impacted by noise and pollution, veterans are reminded of combat conditions, and animals are traumatized for weeks and sometimes months preceding these holiday celebrations. While fireworks injuries occur primarily to children, an adult male who lived on Kauai succumbed to fatal injuries sustained from a fireworks explosion on December 31, 2020. Hawaii news media reports at least seven others, including juveniles, were injured from fireworks misuse on New Year's Eve 2020.

The increase in fines may deter individuals from the illegal use of fireworks and the proposed multi-agency effort to increase scrutiny of fireworks violations will curtail this growing problem. The general welfare, public safety, and property protection are priorities for the SFC and the HFD, and we respectfully request your committee's passage of SB 513.

Should you have questions, please contact SFC Administrative Specialist Lloyd Rogers at (808) 723-7176 or lrogers@honolulu.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "David C. Thyne".

DAVID C. THYNE
Fire Chief

SB-513

Submitted on: 2/12/2021 10:15:50 AM

Testimony for PSM on 2/16/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
lynne matusow	Individual	Support	No

Comments:

The 2020 year was terrible for fireworks infractions. They were goingn off months before the celebratory date, disturbing humans and pets. Anything that can help law enforcement get this under control is appreciated. SB513 is a welcome start.

SB-513

Submitted on: 2/12/2021 2:20:08 PM

Testimony for PSM on 2/16/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Gerard Silva	Individual	Oppose	No

Comments:

Stop ripping of the Hawaii people. Fire works has bin part of Hawaii from before my time and will remain afture my Time. So stop Disrespecting the Hawaii people. Fire works is Tradition.

There are many crimes that are wrost like Sex trafficking and Drugs that do great damage to the people of Hawaii that you should be dealing with in sted of Fire Works!