

STAND. COM. REP. NO.

3354

Honolulu, Hawaii

MAR 23 2022

RE: H.B. No. 2275
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2275, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FIREWORKS INFRACTIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to establish an expeditious adjudication system for processing fireworks infractions, similar to the system for processing traffic infractions.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Honolulu Fire Department, Maui Fire Department, Department of the Prosecuting Attorney of the City and County of Honolulu, Pearl City Neighborhood Board, Hawaiian Humane Society, and four individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Judiciary and Department of Budget and Finance.

Your Committee finds that the use of illegal fireworks and improvised explosives have substantially increased in recent years. Online searches reveal pervasive use of illegal aerial fireworks in many neighborhoods. As a consequence, serious injuries, property damage, and fatalities have occurred. Your Committee believes that alternative enforcement mechanisms should



be considered to promote compliance with the fireworks control law. This measure will promote compliance with the fireworks control law by incorporating new fireworks citations into the existing traffic and emergency order citation system under chapter 291D, Hawaii Revised Statutes.

Your Committee has amended this measure by:

- (1) Deleting language that would have established an expeditious adjudication system for processing fireworks infractions, similar to the system for processing traffic infractions;
- (2) Incorporating the new fireworks citations into the existing traffic and emergency order citation system under chapter 291D, Hawaii Revised Statutes;
- (3) Setting \$500 as the fine amount for any fireworks violation covered by this measure, including homeowners liability;
- (4) Amending section 1 to reflect its amended purpose;
- (5) Making it effective upon its approval; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2275, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2275, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

**Record of Votes
Committee on Judiciary
JDC**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2275, HD1	JDC, WAM	03-15-22		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	/			
KEOHOKALOLE, Jarrett (VC)	/			
ACASIO, Laura	/			
GABBARD, Mike	/			
KIM, Donna Mercado	/			
LEE, Chris	/			
FEVELLA, Kurt	/			
TOTAL	7	-	-	-
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes