

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
ON
HOUSE BILL NO. 2275

February 4, 2022
2:00 p.m.
Room 329 and Videoconference

RELATING TO FIREWORKS INFRACTIONS

The Department of Budget and Finance (B&F) offers comments on this bill.

House Bill No. 2275 establishes an expeditious adjudication system, similar to the system used for traffic infractions, for the processing of fireworks infractions and makes an unspecified general fund appropriation in FY 23 to the Judiciary to update its information management system to implement the process established by this measure.

B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.



The Judiciary, State of Hawai‘i

Testimony to the Thirty-First State Legislature, 2022 Regular Session

Committee on Consumer Protection & Commerce

Representative Aaron Ling Johanson, Chair

Representative Lisa Kitagawa, Vice Chair

February 4, 2022, 2:00 p.m.

Via Videoconference

by:

Michelle D. Acosta

Deputy Chief Court Administrator

District Court of the First Circuit

WRITTEN TESTIMONY ONLY

Bill No. and Title: House Bill No. 2275 – Relating to Fireworks Infractions

Purpose: Establishes an expeditious adjudication system for the processing of fireworks infractions. Appropriates funds.

Judiciary’s Position:

The Judiciary appreciates the opportunity to provide comments on this measure. The Judiciary takes no position on the merits of the bill and recognizes the impact of illegal fireworks on the community.

In response to the COVID-19 pandemic, legislation was passed in 2021 to create an “emergency-period infraction.” Act 185 of the 2021 Legislative Session created the infraction within Section 127A-29, Hawai‘i Revised Statutes (HRS) and within Chapter 291D. Expansion of Chapter 291D, rather than creation of an entirely new chapter, proved to be an effective vehicle for implementation. The approach enabled law enforcement agencies to temporarily utilize traffic infraction citation forms for the issuance of emergency period infractions. The approach also enabled the Judiciary to adjudicate emergency period infractions in the same

manner as traffic infractions. Due to the coordination and collaborative efforts between numerous stakeholders, Act 185 was successfully implemented last year. Based on this experience, the Judiciary believes that the same framework can be used as a guide to achieving a similar fireworks infraction, and suggests that the bill be amended accordingly. The Judiciary would also suggest that a set fine be established for the fireworks infraction rather than a variable amount, as a set fine will allow for the ease of payment. In addition, the Judiciary Information Management System (JIMS) may easily be configured to allow for a straightforward implementation process.

Thank you for the opportunity to testify on this measure.



Hawaiian Humane Society
People for animals. Animals for people.

2700 Waiialae Avenue Honolulu, Hawaii 96826
808.356.2200 • HawaiianHumane.org

Date: Feb. 3, 2021

To: Chair Rep. Aaron Ling Johanson
Vice Chair Rep. Lisa Kitagawa
and Members of the
Committee on Consumer Protection and Commerce

Submitted By: Stephanie Kendrick, Public Policy Advocate
Hawaiian Humane Society, 808-356-2217

RE: Testimony in support of HB 2275: Relating to Fireworks Infractions
Friday, Feb. 4, 2021, 2 p.m., Via Videoconference

Aloha Chair Johanson, Vice Chair Kitagawa and Committee Members,

On behalf of the Hawaiian Humane Society, thank you for considering our support for House Bill 2275, which establishes an expeditious adjudication system for the processing of fireworks infractions and appropriates funds.

Hawaiian Humane supports any attempt to remove fireworks from residential neighborhoods by keeping these dangerous products out of our state entirely and/or enhancing enforcement. At what should be joyous times for local families, illegal fireworks fill our neighborhoods with unexpected explosions that terrorize pets and people alike.

Animals who flee their homes in fear are at enormous risk of injury and death. An average of 8 stray dogs per day came into the Hawaiian Humane Society in 2021. As the new year arrived, that number spiked to 36 between Jan. 1-2. Hawaiian Humane has long educated our community about keeping pets safe from the terror of fireworks around New Years and July 4, but these bombs increasingly go off for months at a time. That makes it impossible for pet owners to prepare and creates sustained stress on people and animals, which can do lasting damage to their emotional and physical health. Neither people nor animals should have to take tranquilizers just to survive the impacts of illegal behavior by their neighbors.

We urge the committee to restore peace and safety to our neighborhoods and leave fireworks displays to the professionals. Mahalo for your consideration.

HB-2275

Submitted on: 2/2/2022 3:15:00 PM

Testimony for CPC on 2/4/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Lynn Murakami-Akatsuka	Individual	Support	No

Comments:

To Members of the House Committee on Consumer Protection & Commerce,

I support the passage of HB 2275 this legislative session. This is another enforcement strategy to deal with fireworks violators to be made accountable with legal onsequences on a timely basis.

Thank you for the opportunity to testify in support of HB 2275.

HB-2275

Submitted on: 2/3/2022 6:26:07 AM

Testimony for CPC on 2/4/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Jennifer Chiwa	Individual	Support	No

Comments:

Aloha Chairperson Johanson, Vice Chairperson Kitagawa and Members of the Committee on Consumer Protection and Commerce.

I am Jennifer Chiwa and I have lived on Oahu my whole life. I currently reside in Makiki.

Please support HB 2275.

Mahalo.

HB-2275

Submitted on: 2/3/2022 1:11:56 PM

Testimony for CPC on 2/4/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Katie Bourke	Individual	Support	No

Comments:

To whom it may concern, As a lifelong resident of Hawaii, I am in favor of establishing an expeditious system for the processing of fireworks infractions. People should be held accountable for their illegal use of fireworks. The faster they are held accountable, the faster all illegal fireworks will stop in our communities.

As a child, Fireworks were a joyous occasion and would occur a handful times a year (on Holidays). Now we have aerial fireworks going off almost every day and night, all year long, in my neighborhood of Ahuimanu. They are very loud, setting off car alarms, and some causing the house to shake. (It seems someone in my neighborhood has been making homemade fireworks, that sound more like bombs.) Every time the fireworks go off, it causes all the dogs in the neighborhood to start barking, no matter what the time. Fireworks go off at all hours of the night and day. Fireworks going off on a random Tuesday at 2am is a common occurrence.

My dog has become so terrified of the fireworks that she can cause physical damage to our belongings and the house if left unattended. She refuses to eat and visibly shakes for hours, and must be confined to a crate with a blanket covering it. The fireworks over the past two years have gotten so bad, and so frequent, that now my dog starts to get scared and anxious at dusk, simply because she knows the fireworks are coming.

The Fireworks have been disrupting my sleep, waking me up multiple times a night. Not good for my health. The only solution to the constant "BOOMS" of the fireworks, is to close all the windows and run the AC, in an attempt to block out the noise. Running the AC for this reason seems really silly when it's 60 degrees out in the winter time next to the Koolaus. But closing the windows and running the AC is the only way to get sleep and do my job the next day. But running the AC costs me extra \$\$ every night and is a waste since the natural weather is so pleasant most of the time. We run the AC more during the winter time, than we do during the hot summer, simply because of the fireworks.

It has gotten so bad that my Husband and I have talked about moving to the mainland simply because the Fireworks have been negatively affecting us so much. I want to continue to live in Hawaii, it's my home, my family is here. Please help put a stop to all the illegal fireworks going off in our communities. Thank you.

DAVID Y. IGE
GOVERNOR

JOSH GREEN
LIEUTENANT GOVERNOR



ANNE E. PERREIRA-EUSTAQUIO
DIRECTOR

JOANN A. VIDINHAR
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813
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Phone: (808) 586-8844 / Fax: (808) 586-9099
Email: dlir.director@hawaii.gov



February 3, 2022

The Honorable Aaron Ling Johanson, Chair
Committee on Consumer Protection
and Commerce
House of Representatives
State Capitol, Room 436
Honolulu, Hawaii 96813

Dear Chair Johanson:

Subject: House Bill (HB) 2275 Relating to Fireworks Infractions

I am Steven Goble, Chair of the Hawaii State Fire Council (SFC). The SFC supports HB 2275, which establishes and appropriates funds for an expeditious adjudication system for the processing of fireworks infractions.

There is a general sense that the use of illegal fireworks and improvised explosive devices have substantially increased in recent years. A search of youtube.com using the term "aerial fireworks Hawaii New Years" reveals pervasive use of illegal aerial fireworks in many neighborhoods. As a consequence, serious injuries, property damage, and fatalities have occurred.

The SFC supports legislation to streamline the judicial system in prosecuting the illegal use of fireworks. The general welfare, public safety, and property protection are priorities for the SFC and we respectfully request your committee's passage of HB 2275.

Should you have questions, please contact SFC Administrative Specialist Gary Lum at 723-7169 or glum@honolulu.gov.

Sincerely,

STEVEN GOBLE
Chair

SG/GL

DAVID Y. IGE
GOVERNOR

JOSH GREEN
LIEUTENANT GOVERNOR



ANNE E. PERREIRA-EUSTAQUIO
DIRECTOR

JOANN A. VIDINHAR
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
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Email: dlir.director@hawaii.gov

LATE

February 3, 2022

The Honorable Aaron Ling Johanson, Chair
Committee on Consumer Protection
and Commerce
House of Representatives
State Capitol, Room 436
Honolulu, Hawaii 96813

Dear Chair Johanson:

Subject: House Bill (HB) 2275 Relating to Fireworks Infractions

I am Steven Goble, Chair of the Hawaii State Fire Council (SFC). The SFC supports HB 2275, which establishes and appropriates funds for an expeditious adjudication system for the processing of fireworks infractions.

There is a general sense that the use of illegal fireworks and improvised explosive devices have substantially increased in recent years. A search of youtube.com using the term "aerial fireworks Hawaii New Years" reveals pervasive use of illegal aerial fireworks in many neighborhoods. As a consequence, serious injuries, property damage, and fatalities have occurred.

The SFC supports legislation to streamline the judicial system in prosecuting the illegal use of fireworks. The general welfare, public safety, and property protection are priorities for the SFC and we respectfully request your committee's passage of HB 2275.

Should you have questions, please contact SFC Administrative Specialist Gary Lum at 723-7169 or glum@honolulu.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven Goble".

STEVEN GOBLE
Chair

SG/GL

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

LATE

STEVEN S. ALM
PROSECUTING ATTORNEY

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 768-7400 • FAX: (808) 768-7515

THOMAS J. BRADY
FIRST DEPUTY
PROSECUTING ATTORNEY



THE HONORABLE AARON LING JOHANSON, CHAIR
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Thirty-First State Legislature
Regular Session of 2022
State of Hawai`i

February 4, 2022

RE: H.B. 2275; RELATING TO FIREWORKS INFRACTIONS.

Chair Johanson, Vice Chair Kitagawa, and members of the House Committee on Consumer Protection & Commerce, the Department of the Prosecuting Attorney of the City and County of Honolulu (“Department”) submits the following testimony in support of H.B. 2275, with suggested amendments.

The purpose of H.B. 2275 is to amend certain fireworks offenses to “infractions,” which would be non-criminal, non-jailable offenses, punishable by fine. Similar to the “emergency period infractions” created by Act 185 (2021), it appears the proposed “fireworks infractions” would be handled much like traffic tickets. Law enforcement would issue citations to offenders, and offenders would have to pay a fine by mail, contest the charge by mail, or appear before the court to contest the matter. In the latter two options, if a court finds in favor of the State, the offender could then request a “trial de novo.” Trial de novo is basically a civil trial in which the State is represented by a prosecutor, who presents witnesses to prove the State’s case by a preponderance of the evidence.

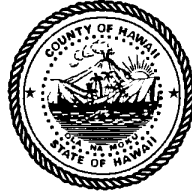
Due to serious, ongoing concerns regarding the dangers and nuisance presented by illegal fireworks use, the Department shares the introducers’ desire to hold offenders accountable and will continue to do its part in the enforcement process. While it may seem counterintuitive at first, in this instance the Department believes that lowering certain fireworks offenses to an infraction may actually be a more effective enforcement tool for law enforcement than the current misdemeanor-level offenses—given various evidentiary issues that have arisen in court—and thus, the Department is willing to try this new approach to fireworks enforcement. Offenses involving larger amounts of fireworks, or illegal importing or distribution, would continue to be misdemeanors or felonies.

Based on the Department's understanding of this bill, we believe the intent is to allow law enforcement officers to issue citations that are payable by mail, without requiring offenders to appear in court. If this is the intent, we recommend that the Committee either: (1) establish a set fine for these fireworks infractions—as some Mayors have done for emergency period infractions—by amending the range of fines found on page 29 to a single dollar amount; or (2) require the Judiciary to prescribe a schedule of applicable fines—as is done for traffic infractions—by adding language, similar to HRS §291D-9(b), in proposed §___-8 on page 21.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu supports the passage of H.B. 2275. Thank you for the opportunity to testify on this matter.

Mitchell D. Roth
Mayor

Lee E. Lord
Managing Director



Kazuo S. K. L. Todd
Fire Chief

Eric H. Moller
Deputy Fire Chief

County of Hawai'i
HAWAI'I FIRE DEPARTMENT
25 Aupuni Street • Suite 2501 • Hilo, Hawai'i 96720
(808) 932-2900 • Fax (808) 932-2928



February 3, 2022

The Honorable Aaron Ling Johanson, Chair
Committee on Consumer Protection and Commerce
House of Representatives
State Capitol, Room 436
Honolulu, Hawaii 96813

Dear Chair Johanson:

Subject: House Bill (HB) 2275 Relating to Fireworks

I am Kazuo S. K. L. Todd, Fire Chief for the Hawai'i Fire Department. I support HB 2275, which establishes and appropriates funds for an expeditious adjudication system for the process of fireworks infractions.

Illegal aerial fireworks and improvised explosive devices have substantially increased in recent years. As a consequence, serious injuries, property damage, and fatalities have occurred. Something needs to be done and I support legislation to streamline the judicial system in prosecuting the illegal use of fireworks.

The general welfare, public safety, and property protection are priorities for emergency services, and I respectfully request your committee's passage of HB 2275.

Should you have questions, please contact me at 808-932-2903 or kazuo.todd@hawaiicounty.gov

Sincerely,

KAZUO S. K. L. TODD
Fire Chief
Hawai'i Fire Department

KT:lk

HONOLULU FIRE DEPARTMENT
CITY AND COUNTY OF HONOLULU

636 South Street
Honolulu, Hawaii 96813-5007
Phone: 808-723-7139 Fax: 808-723-7111 Internet: www.honolulu.gov/hfd

LATE

RICK BLANGIARDI
MAYOR



SHELDON K. HAO
FIRE CHIEF

JASON SAMALA
DEPUTY FIRE CHIEF

February 4, 2022

The Honorable Aaron Ling Johanson, Chair
Committee on Consumer Protection
and Commerce
House of Representatives
State Capitol, Room 436
Honolulu, Hawaii 96813

Dear Chair Johanson:

Subject: House Bill (HB) 2275 Relating to Fireworks Infractions

My name is Sheldon K. Hao, Fire Chief of the Honolulu Fire Department (HFD). The HFD supports HB 2275, which establishes and appropriates funds for an expeditious adjudication system for the processing of fireworks infractions.

A search of aerial fireworks in Hawaii via a major video-sharing website reveals pervasive use of illegal aerial fireworks in many neighborhoods thereby confirming the use of illegal fireworks and improvised explosive devices have substantially increased in recent years. As a consequence, serious injuries, property damage, and fatalities have occurred.

The general welfare, public safety, and property protection are priorities for the HFD. We support legislation to streamline the judicial system in prosecuting the illegal use of fireworks and respectfully request your committee's passage of HB 2275.

Should you have questions, please contact Administrative Specialist Gary Lum at 808-723-7169 or glum@honolulu.gov.

Sincerely,

A handwritten signature in blue ink that reads "Sheldon K. Hao".

SHELDON K. HAO
Fire Chief

SKH/GL:cn



PEARL CITY NEIGHBORHOOD BOARD NO. 21 <https://pearlcitynb.com/>

LATE

NEIGHBORHOOD COMMISSION • 925 DILLINGHAM BLVD, SUITE 160 • HONOLULU, HAWAII, 96817
PHONE (808) 768-3710 • FAX (808) 768-3711 • <http://www.honolulu.gov/nco>

Chair Larry Veray, Vice-Chair Dion Mesta, Secretary Charmaine Doran, Treasurer Guy Inouye, Kuni Agard, Elayne Funakoshi, Jayden Liu, Lawrence Miyazono, Kelsey Poaha, Shanda Delos Reyes, Tony Velasco

RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL AND LEGISLATIVE REPRESENTATIVES TO REQUEST ASSISTANCE FROM THE FEDERAL GOVERNMENT TO EMPLOY THEIR RESOURCES TO STOP TONS OF ILLEGAL AERIAL FIREWORKS EXPLOSIVES BEING TRANSPORTED TO HAWAII

WHEREAS, several Hawaii residents have complained about illegal aerial fireworks that are negatively impacting their daily lives with bad actor neighbors and individuals launching low altitude extremely loud aerial bomb firework explosions at all hours of the day, all year around and primarily targeting neighborhoods late evenings while people are resting or at sleep, and

WHEREAS, bad actor individuals have modified illegal fireworks into Improvised Explosive Devices (IED) such as pipe bombs to create a much greater low altitude or ground extremely loud explosions which severely impacted the health and safety of the elderly in care homes, disabled Vets with PTSD, children and family pets with some running away from home and being hit by vehicles, and

WHEREAS, the State Legislature previously took action on illegal aerial fireworks with increasing fines and developing a task force in the year 2010 comprised of the Federal Government representatives from ATF, U.S Customs, U.S. Coast Guard, HPD, HFD and port facilities commercial shipping companies; however, this task force did not produce results or any interdiction of illegal fireworks at our port facilities due to the excuse of inspectors claiming there are too many containers to be inspected and the community perception of possible corruption with inspectors, and

WHEREAS, the Honolulu Police Department is overwhelmed with the number of 911 calls that come in all year round and especially for New Years celebrations but the current law requires police officers to actually witness bad actor neighbors and individuals lighting the fuse of illegal fire works before any citation can be initiated or any further City prosecution which is not realistic for arresting the bad actors, and

WHEREAS, the Federal Government such as ATF, FBI and Customs and Border Protection have the classified resources, technology and capabilities to identify, track, interdict and prosecute individuals involved in trans-national organized crime rings transporting and selling tons of explosive illegal aerial fireworks between China and the U.S., which support bad actor residents terrorizing Hawaii neighborhoods, and

WHEREAS, it is suspected by the community and others that the bulk of illegal fireworks are produced in Liuyang, China, transported to Shanghai where the product is loaded into shipping containers and onto Chinese cargo merchant vessels bound for Los Angeles where the product is suspect to be transited by ground to other destinations where the product is then placed into Trojan Horse non-declared explosive shipping containers disguised as high priority goods which are then shipped to major U.S. mainland cities and Hawaii, and

WHEREAS, the Federal Government agencies have the capability to track containers and those suspect containers could be inspected at Honolulu Ports by Federal Agents with trained sniffing dogs or technology devices previously used in the Middle East for detecting explosive material and IEDs, and

WHEREAS, deceptive shipping containers arrive in Hawaii, usually by October each year base on a spike in use of illegal aerial bomb fireworks and this material is temporary stored in commercial warehouses and neighborhood communities and it is only a matter of time where there could be a fireworks accident in this storage area blowing up a city block or residential neighborhood taking many lives of our residents, and

BE IT RESOLVED that the Pearl City Neighborhood Board is requesting our State Legislators and Congressional Representatives to request assistance from the Federal Government to employ their resources to stop illegal fireworks from entering Hawaii ports and to collect evidence for prosecution for all involved in the shipping and storage process to

include bad actor local government employees involved in the distribution of illegal fireworks that should be charged with Class “A” felonies and loss of retirement pensions, and

BE IT RESOLVED that the Pearl City Neighborhood Board requests the State Legislature to improve current illegal fireworks and explosive laws to increase fines and coordinate with the City and County of Honolulu and Judicial authority to develop a monetary reward amount to solicit information from residents on locations of storage of illegal fireworks in warehouses and residential areas to help mitigate this serious safety situation in our neighborhoods and commercial areas; and

BE IT FURTHER RESOLVED that the Pearl City Neighborhood Board requests that Hawaii District Court improve the timeliness for neighborhood residents to litigate potential law suits against bad actor neighbors and individuals to collect punitive damages for the terroristic loud explosions gravely impacting the health and safety of their families and pets with the use of eye witnesses reports coupled with video evidence, signed affidavits by neighbors and HPD police reports for each terroristic loud explosion event that will support the civil suit and possibly lead to criminal prosecution, and

BE IT FINALLY RESOLVED that copies of this Resolution be forwarded to Hawaii Congressional Representatives; Governor David Ige; Senator Clarence Nishihara; Senator Bennette E. Misalucha; Representative Gregg Takayama; Representative Roy Takumi; Mayor Rick Blangiardi Honolulu City Council, Bureau of Alcohol, Tobacco, Firearms and Explosives Honolulu Office; Federal Bureau of Investigation Honolulu Office; U.S. Customs and Border Protection Honolulu Office; Joint Interagency Task Force - West USINDOPACOM; and all Neighborhood Board Chairs.

The Pearl City Neighborhood Board No. 21 unanimously approved at its January 25, 2022 Regular Board meeting, by 10-0-0 vote.

Submitted By: Larry Veray, Chair



LATE

TESTIMONY OF
LARRY S VERAY

HOUSE OF REPRESENTATIVES
TO THE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

MOST STRONGLY SUPPORT HB 2275

RELATING TO FIREWORKS INFRACTIONS

February 3, 2022

Aloha, Chair Johanson, Vice Chair Lisa Kitagawa and Committee members. Thank you for allowing me the opportunity to provide testimony on HB 2275.

I am Chair for the Pearl City Neighborhood Board No. 21 representing our board and all our residents, families and pets negatively impacted by the random, all hours of the day, terroristic loud aerial fireworks explosions impacting our lives daily. Our board unanimously approved our resolution on fireworks at our January 25, 2022 Neighborhood Board meeting to include mitigation recommendations for our Congressional Representatives and State Legislators.

We totally concur with HB 2275 that there should be alternative enforcement mechanisms to promote compliance with the fireworks control law. This alternative enforcement could expedite adjudication for fireworks infractions that is similar to processing traffic infractions. This should also be considered for civil law suits by neighbors suing their bad actor neighbors.

I most strongly urge you to support and approve HB 2275 coupled with the above recommended language for this bill. We are with you! Mahalo!

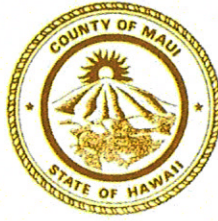
Very respectfully,

Larry S. Veray

MICHAEL P. VICTORINO
Mayor

BRADFORD K. VENTURA
Fire Chief

GAVIN L.M. FUJIOKA
Deputy Fire Chief



DEPARTMENT OF FIRE & PUBLIC SAFETY
COUNTY OF MAUI
200 DAIRY ROAD
KAHULUI, HI 96732

LATE

February 4, 2022

The Honorable Aaron Ling Johanson, Chair
Committee on Consumer Protection
and Commerce
House of Representatives
State Capitol, Room 436
Honolulu, Hawaii 96813

Dear Chair Johanson:

SUBJECT: HOUSE BILL (HB) 2275 RELATING TO FIREWORKS INFRACTIONS

I am Bradford Ventura, member of the Hawaii State Fire Council (SFC) and Fire Chief of the Maui Fire Department (MFD). The SFC supports HB 2275, which establishes and appropriates funds for an expeditious adjudication system for the processing of fireworks infractions.

There is a general sense that the use of illegal fireworks and improvised explosive devices have substantially increased in recent years. A search of youtube.com using the term "aerial fireworks Hawaii New Years" reveals pervasive use of illegal aerial fireworks in many neighborhoods. As a consequence, serious injuries, property damage, and fatalities have occurred.

The SFC supports legislation to streamline the judicial system in prosecuting the illegal use of fireworks. The general welfare, public safety, and property protection are priorities for the SFC and we respectfully request your committee's passage of HB 2275.

If you have questions, please contact SFC Administrative Specialist Gary Lum at (808) 723-7169 or glum@honolulu.gov.

Sincerely,

A handwritten signature in blue ink that reads "B. Ventura".

BRADFORD K. VENTURA
Fire Chief



improving the quality of lives of pets and their people.

LATE

Testimony by Alicia Maluafiti, Board President Poi Dogs & Popoki
In support of HB 2275 - Relating to Fireworks
House Committee on Consumer Protection & Commerce
Friday, February 4, 2022, 2 pm – via Zoom

Aloha Chair Johanson 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 support of HB 2273 which would create an adjudication system for processing fireworks infractions.

While we support the spirit and intent of HB 2275, the biggest challenge is going to be actually identifying the individual lighting the fuse. Most often, we do not see that person. So the law that passed in 2019 holds the property owner or lessee (renter) of the property liable because we know what properties are setting up illegals. Can this law be expanded to also include the property owners or lessees?

Since these violators are spending thousands on illegal fireworks, the fine needs to fit the crime. \$100 seems too low to be much of a disincentive. If you get cited for parking tickets, you can't register your vehicle. If you get cited for speeding tickets, it can affect your car insurance. Can there be a compounded penalty for violators? Maybe one infraction is \$100 (the first), but subsequent infractions could be \$500, then \$1000, then \$5000 (etc)?

We look forward to seeing how this bill can be amended to serve its very important purpose.

COMMITTEE ON CONSUMER PROTECTION & COMMERCE
HEARING – FRIDAY, FEBRUARY 4, 2022

LATE

To: Rep. Johanson, Chair
and the Committee on Consumer Protection and Commerce

Fr: Maureen Andrade, 70 year resident of Waipahu

Subject: Testimony on all 7 fireworks bills (HBs1695, 1696, 2502, 1969, 2273,
2275 and 1604)

Aloha Chair Johanson and members of the CPC Committee. My name is Maureen Andrade. I have been a resident of Waipahu for 70 years and during my younger years fireworks were a way to bring in the new year... "firecrackers, sparklers" and it was enjoyable.

Today, every single one of us have witnessed an alarming amount of illegal fireworks... explosives, canister type bombs, homemade bombs and aerals, jumping jacks etc. None of these are LEGAL right? None of these are done for "religious purposes" right?

I am the president of the Village Park Community Association, a little more 1800 homes. For more than 2 years now, every single night, we have been terrorized by very loud explosives, bombs and aerals. It starts at 6:30 pm into the late night and sometimes 1:00 – 3:00 am. We have not had a quiet night at all. I know that we are not the only community that are experiencing this, so in short...

I am in support of all the bills listed on this agenda, I just pray that one of them will find its way to the floor and gets the votes we need...

Mahalo for you time,

Maureen (mo) Andrade
808-386-5623
94-686 Kahue Place
Waipahu, HI 96797
email: andrade_maulena@yahoo.com

LATE

HB-2275

Submitted on: 2/4/2022 12:30:57 AM

Testimony for CPC on 2/4/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Samuel Mitchell	Individual	Support	Yes

Comments:

Support HB2275

Sam Mitchell Makiki NB-10