

**HB-426**

Submitted on: 2/12/2023 10:44:17 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jerry Yuen	Pu'uloa Rifle and Pistol Club	Oppose	In Person

Comments:

I strongly oppose HB 426. This bill is a misguided attempt to place blame on the gun industry rather than the criminal.

Much of the aftermarket gun part industry is aimed at the repair and customization of standard factory produced guns much like the aftermarket automobile parts industry. Consumers desire improved performance or aesthetics.

Criminal misuse of any product should not be the manufacturer, distributor, or retailer's responsibility.

**HB-426**

Submitted on: 2/14/2023 11:50:37 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
'Ilima DeCosta	Mom's Demand Action	Support	Remotely Via Zoom

Comments:

Aloha Chair Tarnas, Vice-Chair Takayama and Members of the Committee.

Mahalo for the opportunity to testify in strong support of HB 426.

Once passed, HB 426 will provide greater oversight over individuals who own and possess firearms.

As a mother to a young woman who was killed due to domestic related gun violence, I support all reasonable measures to ensure that individuals who are granted a concealed carry permit are properly vetted and are held accountable if/when their firearm is involved in the commission of any crime, including suicide.

Since gun violence is the #1 leading cause of death for youth, it is imperative that the State of Hawaii maintain the public safety, by ensuring that owners of firearms are held to certain standards of conduct, and I urge the passage of HB 426. Mahalo for the opportunity to testify in support of this bill.

**HB-426**

Submitted on: 2/11/2023 9:28:44 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Barbara Shimei	Indivisible Hawaii	Support	Written Testimony Only

Comments:

IN SUPPORT

Indivisible Hawaii supports HB426.

**HB-426**

Submitted on: 2/13/2023 10:28:52 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Daniel Oshima	Kaneohe Gun Shop	Oppose	Written Testimony Only

Comments:

Please oppose HB426. This nonsensical bill directs blame on stores and sellers of products that the sellers and stores themselves do not manufacture! This is misdirected finger pointing and leads to frivolous lawsuits! How can stores and sellers of firearms and firearm support items be pointed at for any criminal's wrongdoings or accuser's errors and opinions when utilizing any product in the category of firearms, sporting goods, ammunition, accessories and support material? HB426 needs to be opposed and cannot be considered as reasonable logic by anyone who is a thinking, capable individual in the United States of America.

Thank you, Daniel Oshima

Owner, Kaneohe Gun Shop

Brady  
840 First St. NE Ste. 400  
Washington, DC 20002



Testimony of Ramya Swami, Manager, State Policy, Brady  
**Support for HB 426**  
Before the Hawaii House Committee on Judicial and Hawaiian Affairs  
February 14, 2023

Chair Tarnas, Vice Chair Takayama and distinguished members of the Hawaii House Committee on Judicial and Hawaiian Affairs,

Founded in 1974, Brady works across Congress, courts, and communities, uniting gun owners and non-gun owners alike, to take action, not sides, and end America's gun violence epidemic. Brady today carries the name of Jim Brady, who was shot and severely injured in the assassination attempt on President Ronald Reagan. Jim and his wife, Sarah, led the fight to pass federal legislation requiring background checks for gun sales. Brady continues to uphold Jim and Sarah's legacy by uniting Americans from coast to coast, red and blue, young and old, liberal and conservative, to combat the epidemic of gun violence. **In furtherance of our goal to reduce firearm violence across Hawaii, the Brady Campaign to Prevent Gun Violence is proud to support the passage of House Bill 426.** HB 426 creates a path for gun industry members to be held accountable for dangerous, unlawful, negligent and unsafe business practices that impact the citizens of Hawaii and removes barriers that currently prevent victims and survivors from obtaining justice in the courtroom.

**The Gun Industry has been Afforded Special Protections that Harm Those Living in Hawaii**

A top priority of the gun industry, the Protection of Lawful Commerce in Arms Act (PLCAA) was signed into law by then-President George W. Bush in 2005.<sup>1</sup> PLCAA provides gun manufacturers, distributors, and gun dealers with special protections from civil liability that no other U.S. industry is currently afforded. Although PLCAA does not provide complete immunity from all civil lawsuits, some courts have interpreted the law to effectively bar victims and survivors of gun violence from holding firearms businesses liable for injuries caused by negligence, defective products, or unreasonably dangerous conduct that would otherwise be actionable under civil justice principles. Enabling the gun industry to evade accountability at the expense of victims of gun violence significantly contributes to the gun violence epidemic by

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<sup>1</sup> 15 U.S.C. § 7901 (2005).

removing key incentives for the gun industry to adopt life-saving business practices.<sup>2</sup> Moreover, PLCAA has had a chilling effect on civil cases against the gun industry and has worked to prevent victims and survivors from recovering damages they are owed after tragic injuries or deaths. HB 426 would ensure that the gun industry would no longer be shielded from accountability for their dangerous, irresponsible, or illegal practices that endanger the lives of the people of Hawaii.

### **PLCAA Denies Justice to Victims and Survivors**

Victims should have recourse for the gun industry's negligence and dangerous practices, but PLCAA currently protects gun dealers and manufacturers from being held responsible. Gun dealers and manufacturers should be held responsible for negligent and irresponsible sales practices that are the proximate cause of an individual's injuries or death, and for selling to someone who is likely to harm themselves or others. Manufacturers who design firearms without life-saving safety features, such as chamber-loaded indicators and magazine disconnect safeties, or sell to someone who is clearly likely to harm themselves should be held liable for their design failures and malpractice.<sup>3</sup>

### **PLCAA Perpetuates the Flow of Crime Guns into Communities of Color**

The latest available data from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) reveals that just 2.7 percent of dealers accounted for over 71 percent of crime gun traces.<sup>4</sup> While this small minority of gun dealers are the sources of crime guns recovered in communities of color, these gun dealers typically sit outside those communities in less diverse and more affluent suburbs.<sup>5</sup> Residents of these communities suffer from the chronic stress of daily interpersonal gun violence and the negative impacts on their community's economic prosperity, without recourse or compensation, while irresponsible gun dealers face no consequences. The implications of this lack of accountability cannot be overstated. While gun violence touches Americans across the country, it disproportionately impacts communities of color. Approximately 80 percent of America's gun deaths occur in urban areas with large minority populations.<sup>6</sup> Black Americans are 11 times more likely than their white peers to be the victim of a firearm homicide, and this problem is exacerbated for Black males, who lose four years in life expectancy on the basis of gun violence alone.<sup>7</sup>

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<sup>2</sup> Brady Campaign & Brady Center, "What is PLCAA?", Brady, available at <https://www.bradyunited.org/fact-sheets/what-is-plcaa>.

<sup>3</sup> Vernick, J., Meisel, Z., Teret, S., Milne, J. and Hargarten, S., 1999. "I Didn't Know the Gun Was Loaded": An Examination of Two Safety Devices That Can Reduce the Risk of Unintentional Firearm Injuries," *Journal of Public Health Policy*, 20(4), pp.427-440, available at <https://www.jstor.org/stable/3343129?seq=1>.

<sup>4</sup> Department of the Treasury, "Commerce in Firearms in the United States," Bureau of ATF (Feb. 2000), available at [http://www.joebrower.com/RKBA/RKBA\\_FILES/GOV\\_DOCS/BATF\\_report\\_020400.pdf](http://www.joebrower.com/RKBA/RKBA_FILES/GOV_DOCS/BATF_report_020400.pdf).

<sup>5</sup> Brady Campaign and Brady Center, "Crime Guns in Impacted Communities," Brady, available at <https://www.bradyunited.org/reports/crime-guns-in-impacted-communities>.

<sup>6</sup> *Id.*

<sup>7</sup> CDC, "Injury Prevention & Control," available at <https://www.cdc.gov/injury/wisqars/fatal.html>; Kalesan, B., Vyliparambil, M., Zuo, Y., Siracuse, J., Fagan, J., Branas, C. and Galea, S., 2018. "Cross-sectional study of loss of life expectancy at different ages related to firearm deaths among black and white Americans," *BMJ Evidence-Based Medicine*, 24(2), pp.55-58, available at <https://ebm.bmj.com/content/24/2/55>.

## **PLCAA Disincentivizes Responsible Business Practices**

The mere threat of civil liability motivates companies to adopt safe business practices that prevent future injuries and death.<sup>8</sup> For example, car manufacturers made numerous safety improvements that have cut automobile-related deaths by 50 percent since the 1960s, primarily because of technological advancements spurred by fear of liability.<sup>9</sup> PLCAA effectively removed this motivation for the gun industry, disincentivizing gun dealers from adopting safe sales practices and gun manufacturers from incorporating affordable life-saving safety devices into their products and monitoring their distribution practices.<sup>10</sup> While the gun industry claims that mental health and violent video games are to blame for gun violence, it's actually common industry practices that create the conditions that enable most gun violence to occur.<sup>11</sup> The limitations on the ability to hold the industry accountable prevent public awareness and deter regulatory changes, as well as disincentivize independent action by the industry to avoid liability, all of which would reduce gun violence and save lives.

## **Conclusion**

HB 426 will function as an exception to PLCAA, ensuring that valid civil claims can be brought against the gun industry for their dangerous, negligent, and even unlawful actions. The possibility of civil liability will not only provide civil justice to victims and survivors but also encourage the gun industry to act responsibly to help stem the tide of crime guns that harm the people of Hawaii, particularly in urban areas where communities of color are disproportionately harmed. Having operated with special protections for years, the industry has had no financial incentive to curb irresponsible conduct and instead puts profits over people. The prospect of civil liability can lead to safer products and better conduct that the industry has resisted for years.

HB 426 must be enacted because no industry should be above the law, especially not one that makes and sells lethal weapons. HB 426 will make sure that bad actors in the gun industry are held accountable and victims of gun violence are able to get justice through the law. ***For the reasons described above, Brady urges the committee to support the passage of House Bill 426.***

Sincerely,  
Ramya Swami

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<sup>8</sup> Vernick, J. et al., 2003. "Role of Litigation in Preventing Product-related Injuries," *Epidemiologic Reviews*, 25(1), pp.90-98, available at <https://academic.oup.com/epirev/article/25/1/90/718671>.

<sup>9</sup> LaFrance, Adrienne, "Why Haven't Gunmakers Improved Safety Technology the Way Automakers Did?", *The Atlantic* (Jan. 21, 2016), available at <https://www.theatlantic.com/technology/archive/2016/01/guns-cars/424878/>.

<sup>10</sup> Sampson, Kelly, "Tobacco Kills People. Opioids Kill People. But Guns Don't?", *Brady* (Sept. 4, 2019), available at <https://bradyunited.medium.com/tobacco-kills-people-opioids-kill-people-but-guns-dont-7852c288d496>.

<sup>11</sup> Zeballos-Roig, Joseph, "The NRA Issued a Statement Supporting Trump's Call to Focus on Mental Illness to Reduce Gun Violence after the Shootings in El Paso and Dayton," *Insider* (Aug. 5, 2019), available at <https://www.businessinsider.com/nra-statement-backing-trump-el-paso-dayton-shootings-mental-illness-2019-8>; Hudson, Laura, "The NRA Solution to Gun Violence: More Guns, Fewer Video Games," *Wired* (Dec. 21, 2012), available at <https://www.wired.com/2012/12/nra-video-games/>; Gluck, A., Nabavi-Noori, A. and Wang, S., 2021. Gun Violence in Court. *The Journal of Law, Medicine & Ethics*, 48(S4), pp.90-97, available at <https://journals.sagepub.com/doi/abs/10.1177/1073110520979406>.

# KALEO

Members of the House Committee on Judiciary & Hawaiian Affairs:

Stereotypic anti-2A talking points fed by mainland national interest groups is oft regurgitated by the Hawaii Legislature. However, Hawaii is not the mainland nor is Hawaii California. Yet, the Hawaii Legislature drafts bills that are verbatim from California Civil Code. In H.B. 426's instance, California Civil Code § 3273.51 was apparently borrowed from. Hawaii is a smart state... we can think for ourselves and do not need to blindly copy what California does. Notice how well California laws stopped or prevented the recent mass shootings in their state. Spoiler alert: they didn't.

The Hawaii law abiding firearm owners and firearm related businesses that operate in Hawaii understand the kuleana that accompanies firearms. The reasonable controls promulgated in H.B. 426 on firearm industry members are already required as a Federal Firearms License holder, and I oppose H.B. 426's duplicity and grandstanding. All this bill does is add to the already hard hurdle of operating a business in Hawaii.

As with any contentious topic, there is always a push to segregate into them v. us (the classic psychology in-group v. out-group division). The truth is no one wants mass shootings or gun violence. While we may disagree on how to prevent those from happening, the proverbial "other side" is not the enemy. We all want to live and see our children and grandchildren grow up.

Social science research has long found that intergroup prejudice and hostility can be reduced with education and by greater intergroup contact. The Hawaii Firearms Coalition has repeatedly extended invitations to Hawaii elected officials to learn about firearms and firearm safety, and hopefully more Senators, Representatives, Council Members, and Mayors will become willing to learn and collaborate meaningfully.

In the meanwhile, I share with the Committee a snapshot of who the Hawaii law-abiding firearm owner is. The answer may surprise you as it does not fit the scary/crazy gun owner national narrative. They are doctors, lawyers, engineers, CPAs, professors, dentists, shipyard workers, mechanics, business owners, defense contractors, skilled tradesmen and women, firefighters, police officers, servicemembers, nurses, teachers, pilots, chefs, state workers, federal workers, postal workers and so much more. They are your neighbors, your friends/co-workers, and the people you share the roads with during rush hour. They are Boomers, Gen X, Millennials, and Gen Z. They come from all racial backgrounds.

The law-abiding firearm owner and industry member are not the Legislature's enemy, and they are already following the standard of conduct required by H.B. 426. H.B. 426 will have the same impact the California law it was modeled on had on preventing gun violence in California... none.





February 13, 2023

*Submitted via web portal*

**RE: HB 984 (Saiki): Relating to Firearms - SUPPORT**

Dear Chair Tarnas, Vice Chair Takayama and Members of the Committee:

Everytown for Gun Safety, Moms Demand Action for Gun Sense in America, and Students Demand Action for Gun Sense in America are writing in support of HB 426.

Everytown is the largest gun violence prevention organization in the country with nearly 10 million supporters including moms, mayors, survivors and everyday Americans who are fighting for public safety measures that respect the Second Amendment and help save lives. At the core of Everytown are Mayors Against Illegal Guns, Moms Demand Action for Gun Sense in America and the Everytown Survivor Network.

Moms Demand Action for Gun Sense in America is a grassroots movement of Americans fighting for public safety measures that respect the Second Amendment and protect people from gun violence. Moms Demand Action campaigns for new and stronger solutions to lax gun laws and loopholes that jeopardize the safety of our children and families. Since its inception after the tragedy at Sandy Hook School, Moms Demand Action has established a chapter in every state of the country, including Hawai'i.

The Protection of Lawful Commerce in Arms Act (PLCAA) blocks legal responsibility for gun manufacturers, distributors, and dealers with irresponsible sales practices that contribute to the flood of illegal firearms in our communities. PLCAA gives bad actors in the gun industry broad protection from civil lawsuits, preventing many people injured by guns from holding them accountable in court – even when the business acted dangerously or irresponsibly.

We support state efforts to ensure that members of the gun industry are no longer shielded from accountability when they act dangerously, irresponsibly, or illegally. State bills like HB 426 function as an exception to PLCAA, ensuring that valid civil claims can be brought against the gun industry for dangerous, negligent, and unlawful actions. The possibility of civil liability will not only provide civil justice to victims and survivors but also encourage the gun industry to act responsibly to help stem the tide of crime guns that harm people. Having operated with special protections for years, the industry has had no financial incentive to curb irresponsible conduct and instead puts profits over people. The prospect of civil liability can lead to safer products and better conduct that the industry has resisted for years.

No industry should be above the law, especially not one that makes and sells lethal weapons. HB 426 will

make sure that bad actors in the gun industry are held accountable and victims of gun violence are able to get justice through the law.

For all of these reasons, Everytown for Gun Safety and the Hawai'i chapter of Moms Demand Action for Gun Sense in America support HB 426.

Sincerely,

Krystal LoPilato  
Policy Counsel  
Everytown for Gun Safety, Moms Demand Action & Students Demand Action  
450 Lexington Ave.  
New York, NY 10163  
klopilato@everytown.org

NATIONAL RIFLE ASSOCIATION OF AMERICA

**INSTITUTE FOR LEGISLATIVE ACTION**

11250 WAPLES MILL ROAD

FAIRFAX, VIRGINIA 22030



**NRA**

February 14, 2023

The Honorable David Tarnas  
Chair, Committee on Judiciary and Hawaiian Affairs  
Hawaii State Capitol, Room 442  
Honolulu, Hawaii 96813

Dear Chair Tarnas:

On behalf of the members of the National Rifle Association in Hawaii, I would like to communicate our strong opposition to House Bill 426 (HB 426).

HB 426 creates a private right of action against firearm industry members for failure to implement "reasonable" controls. This intentionally vague term could subject the industry to crippling lawsuits regardless of whether there was any actual violation of law. The firearm industry is already highly regulated through federal and state laws, with violations carrying stiff penalties.

This legislation is nothing more than an attempt to undermine the Protection of Lawful Commerce in Arms Act (PLCAA), which ensures Americans have reasonable access to firearms. The PLCAA does not prohibit lawsuits against the firearm industry for knowingly unlawful sales, for negligent entrustment, and on traditional products liability grounds.

For these reasons and more, the NRA opposes HB 426.

Sincerely,

Daniel Reid  
Western Regional Director  
NRA-ILA

**HB-426**

Submitted on: 2/14/2023 12:14:59 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dale Hayama	Young Guns	Oppose	Written Testimony Only

Comments:

We strongly oppose HB426! It is vague, overly broad, and seeks to entrap anyone in the business of legally selling firearms by trying to hold them accountable for the criminal actions of someone else. Our industry is already regulated BATFE and HPD with numerous law and regulations.

This bill has poorly defined terms and definitions. There are already laws meant to punish the person who illegally alters a firearm, or performs illegal activities. It is unreasonable to hold businesses liable when someone uses their products in inappropriately or illegally.

Criminal misuse of any product should not be the manufacturer, distributor, or retailer's responsibility. Criminals should be liable for their own actions.

“The Protection of Lawful Commerce in Arms Act - (Sec. 3) Prohibits a qualified civil liability action from being brought in any state or federal court against a manufacturer or seller of a firearm, ammunition, or a component of a firearm that has been shipped or transported in interstate or foreign commerce, or against a trade association of such manufacturers or sellers, for damages, punitive damages, injunctive or declaratory relief, abatement, restitution, fines, penalties, or other relief resulting from the criminal or unlawful misuse of a firearm. Requires pending actions to be dismissed.”

HB426 is a bad and unnessesary bill, that will cost the taxpayers thousands of dollars in unwanted law suits. Please kill HB426.

Thank you for reading my testimony!

**HB-426**

Submitted on: 2/14/2023 12:37:58 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Robert A Okuda	Safari Club International Hawaii Chapter	Oppose	Written Testimony Only

Comments:

Please accept our testimony in opposition to HB426. There will be unintended consequences due to frivolous lawsuits. Thank you

**HB-426**

Submitted on: 2/14/2023 1:31:38 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
David Kikukawa	Danger Close Tactical	Oppose	Written Testimony Only

Comments:

I am in opposition of this bill. It is a violation of the Protection of Lawful Commerce in Arms Act. This bill would place blame on innocent parties. Car manufacturers are not held liable for car accidents, even if intentionally committed. Why should any industry be held accountable for what purchasers do with legal products? There are some of the strictest background checks already in place here in Hawaii. If HPD can't determine if someone is able to purchase a firearm for legal purposes, how can you expect business owners to?

Further, how will you regulate accessories for firearms as they are not regulated anywhere in the country? You can purchase them online, bring them back from the mainland, purchase them privately, 3D print them, and even create your own accessories from items from hardware stores. There are no serial numbers, identifying markings, or any way to track them. There are also millions of accessories already available in Hawaii in private hands. It would be impossible to track them.

This bill is so vague that it now puts everyday items on a list of firearms parts. You can make a crude but functional firearm with two pipes and an endcap. If you have any kind of mechanical skill you can make much more complex things. Can Home Depot be sued under this law if someone makes a pipe gun? Does Home Depot have to get a Federal Firearms License now to do any kind of business in Hawaii? Will Napa, O'Riley's, and numerous other autoparts shops have to apply for an FFL now because you can make an illegal silencer out of an oil filter? Will Hydroflask be held responsible because someone turned their product into a silencer? What if someone makes a silencer out of a Soda Bottle? Is Pepsi gonna get sued?

It is already against the law for an FFL to sell to anyone they suspect is a prohibited person or straw purchaser. Expanding this to anyone who sells an accessory is not only unfeasible but unenforceable. Something as simple as a sling would be enough for someone to be considered a 'Firearms Industry Member' since it 'increases the lethality' of the gun by allowing me to keep it at the ready and use it as a bracing point to aim more accurately.

This bill is overly broad, illegal, and needs to be killed.



House Committee on Judiciary and Hawaiian Affairs

HEARING: February 14, 2023 at 2pm

RE: HB426 Relating to Firearms

Hawaii Firearms Coalition **OPPOSES HB426.**

The purpose of HB426 is to put Hawaii's gun stores and firearms manufacturers out of business by switching the blame from criminals to the business. Gun stores are one of the most regulated industries with laws, requirements, and audits performed at the Federal, State, and County level. It is also one of the most difficult industries for a small business to survive in with regulations, insurance, security, tracking, and other costs along with the high penalties if the laws are not followed. The combined factors of audits, fines, criminal penalties, slim margins, and high cost of business ensure that the firearms industry in Hawaii keeps high standards of conduct and controls over their products.

This bill will encourage frivolous lawsuits to be filed against gun stores resulting in a lose-lose situation for them. The mere act of just filing the lawsuit results in the gun store paying tens or hundreds of thousands of dollars in attorney fees to defend itself.. Even if the gun store wins the lawsuit, it will go out of business due to debt or face high insurance costs which will put them out of business.

This bill will create a precedent in Hawaii where any business could face a law like this and be put out of business. For example, a person with a history of DUI legally buys a case of beer from a market and gets into an accident. The victim then sues the supermarket for selling alcohol to a person with a history of DUI. This could also occur if the case of beer was stolen.

#### **134-B (d)**

The term "assaultive purposes" is very vague and dependent on the person defining it. To some, it could mean any semiautomatic firearm. To others, it could be a high-caliber bolt action rifle. To others, it could be a 30 round magazine. The standard set by the US Supreme Court is firearm products in common use and any restrictions on firearm products must be based on US historical laws generally in place in the states at the time of the Constitution's ratification.

We also take issue with the ban on firearm products designed, sold, or marketed to minors. Minors make up a large population of firearm users for hunting, high school competitions, boy/girl scouts training, collegiate/Olympic training, military training, and many other disciplines. Shooting sports teach minors the importance of safety, morals, and responsibility.

#### **"Reasonable Controls"**

Law enforcement is trained and has the power to investigate and enforce firearms laws and unlawful conduct, not the gun stores. Gun store's already have measures to reduce inventory loss and do their best to screen people that show risks, or else they would not be in business anymore.

Please vote no on HB426.

Mahalo

Todd Yukutake  
Director  
Hawaii Firearms Coalition  
PH. (808) 255-3066  
Email: [todd@hifico.org](mailto:todd@hifico.org)



I stand in opposition to this bill. First and foremost It is a violation of the Protection of Lawful Commerce in Arms Act. Second, it attempts to add pretty much any firearms accessory to a list of controlled objects, none of which can be controlled, nor are serialized in any way or even have the potential for serialization.

It is so vague that it now puts mundane items on a list of precursor parts. You can make a crude but functional firearm with two pipes and an endcap. If you have any kind of mechanical skill you can make much more complex things. Can Home Depot be sued under this law if someone makes a pipe gun? Does Home Depot have to get a Federal Firearms License now to do any kind of business in Hawaii? Will Napa, O'Riley's, and numerous other autoparts shops have to apply for an FFL now because you can make an illegal silencer out of an oil filter? Will Hydroflask be held responsible because someone turned their product into a silencer? What if someone makes a silencer out of a Soda Bottle? Is Pepsi gonna get sued?

It is already against the law for an FFL to sell to anyone they suspect is a prohibited person or straw purchaser. Expanding this to anyone who sells an accessory is not only unfeasible but unenforceable. Something as simple as a sling would be enough for someone to be considered a 'Firearms Industry Member' since it 'increases the lethality' of the gun by allowing me to keep it at the ready and use it as a bracing point to aim more accurately.

This bill is overly broad, illegal, and needs to be killed.



**HB-426**

Submitted on: 2/12/2023 7:00:10 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Marcus Tanaka	Individual	Oppose	Remotely Via Zoom

Comments:

I oppose

The FBI has already admitted NO ONE IS IN RAPBACK. So where is our money going? Also that checking the background of electric gun sellers is not what they do. So guess what happens if this bill passes. Any coorespondance to them will just get put in a box. So more work for HPD.

The FBI wont have time to look at this and only create a delay for real terrorist. With the opening statement of the bill, this means the FBI fails at terrorist screaning since NICS is what is used to purchase a gun.

Also add in that the FBI terrorist list is faulty as it has had a 5 year old on it. ANd there is no way to know one is on it until you try to board a flight. Read what I said again, try to board a flight. Not when you purchase your tickets.

This will only create more work for HPD who is already understaffed.

**HB-426**

Submitted on: 2/13/2023 1:57:00 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Andrew Namiki Roberts	Individual	Oppose	Remotely Via Zoom

Comments:

I am in opposition to this bill

**HB-426**

Submitted on: 2/13/2023 4:13:43 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
steven lee	Individual	Oppose	In Person

Comments:

I OPPOSE HB426.

This bill is vague and unfairly subjects firearm industry members accountable for illegal actions committed by others. HB426 could subject innocent law-abiding individuals and business to frivolous lawsuits from "anti-gun activists". Just a few "anti-gun activists" could cause massive and irreparable harm to the industry. They could easily put the innocent defendant individuals and businesses out of business and into bankruptcy due to the high costs of defending themselves from the frivolous lawsuits that would be encouraged by this bill.

The malicious use of the provisions contained in HB426 will have devastating on the small businesses who serve the hundreds of thousands of people in Hawaii who have guns and enjoy the shooting sports and hunting.

No other industry is subject to unfair laws, such as HB426, that can be used by adversaries to punish its industry members and put them out of business.

It would be absurd to hold the makers and sellers of items such as knives and baseball bats accountable for crimes committed by others with their products.

Please respect and treat all people and all businesses fairly and OPPOSE HB426.

**HB-426**

Submitted on: 2/10/2023 2:53:42 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Victor K. Ramos	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE: It is hypocritical to address details concerns about firearms on one-hand, and on the other hand, completely ignore the dangers to our minors and children by moving forward with legalization of cannabis use. For adults...of course (tongue in cheek). More people, including minors are adversely affected by cannabis products, gummie bears, brownies, gum, e-cigs...etc, than firearms ever could.

**HB-426**

Submitted on: 2/10/2023 3:58:09 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Alan Urasaki	Individual	Oppose	Written Testimony Only

Comments:

I stand in opposition to this measure. Thank you.

**HB-426**

Submitted on: 2/10/2023 4:03:17 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dana Keawe	Individual	Support	Written Testimony Only

Comments:

support

**HB-426**

Submitted on: 2/10/2023 4:11:24 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this bill.



**HB-426**

Submitted on: 2/10/2023 6:12:34 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Joel Berg	Individual	Oppose	Written Testimony Only

Comments:

As individual parts beyond firearms frames are unserialized this law would do nothing beyond creating a black market for parts with no ability to trace their origins. This bill does nothing to promote public safety but instead takes a page from California law to harasses and inconvenience legal gun owners.

**HB-426**

Submitted on: 2/10/2023 7:18:57 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Andrew Crossland	Individual	Oppose	Written Testimony Only

Comments:

I oppose this Bill.

**HB-426**

Submitted on: 2/10/2023 8:08:05 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ryan Arakawa	Individual	Oppose	Written Testimony Only

Comments:

This bill is so overly broad it's insane and unconstitutional. Stop wasting our tax dollars. These schemes have already been tried and rejected.

**HB-426**

Submitted on: 2/10/2023 10:46:09 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Fred Delosantos	Individual	Oppose	Written Testimony Only

Comments:

Please oppose HB426. This represent severe government overreach into purchase of little items, such as consumables and routine repair parts for firearms. This will do nothing to stop crime, nor will it deter criminals in their use of firearms in illegal activities. This punishes only law-abiding citizens.

**HB-426**

Submitted on: 2/11/2023 4:54:44 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
David Lau	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB426. This bill lacks the text, history and tradition needed to support it being constitutional. This bill is another attempt by the government to further erode a constitutionally protected right from law abiding citizens and industry members. News organizations, social media outlets, members of the press, publications, magazines and printed press are all protected under the first amendment. HB426 can not be applied to the first amendment, and it can not be applied to the second ammendment.

**HB-426**

Submitted on: 2/11/2023 6:36:53 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
NOAH DRAZKOWSKI	Individual	Oppose	Written Testimony Only

Comments:

We've already passed a background check to acquire a firearm. This is repetitive and does not benefit any law abiding citizens.

**HB-426**

Submitted on: 2/11/2023 8:13:51 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Tristan Kasprzycki	Individual	Oppose	Written Testimony Only

Comments:

This is unconstitutional. We don't have firearms problems in the state of Hawaii. I don't see a reason to implement such strict regulations. We already have a background check for the lower receiver(firearm) that's enough. It doesn't matter how many accessories someone has if they only have on lower receiver to put them on. It is clear the people crafting these bills are ignorant and are just trying to make it hard for gun owners to exercise our rights.

**HB-426**

Submitted on: 2/11/2023 8:22:04 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Atom Kasprzycki	Individual	Oppose	Written Testimony Only

Comments:

This bill is unconstitutional and anti-American. The drafters of this bill are either ignorant of the Constitution and our rights as Americans or they are knowing attempting to violate rights of American citizens. Either way they are unfit to serve in the best interest of our state and our country.

Drafters: Direct your efforts toward any of Hawaii's actual problems like our homeless epidemic, or fighting to help keep home prices affordable for our local residents and their children in the future.



**HB-426**

Submitted on: 2/11/2023 8:28:47 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Stephen Kobayashi	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB426

**HB-426**

Submitted on: 2/11/2023 2:45:21 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jordan Au	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern,

I strongly oppose HB426. This bill will put a ridiculous burden on people in the firearm industry and allowing people to sue for items that were sold is also ridiculous. Do people in the automobile industry or hardware store goods need to prove that their customers aren't dangerous? Can someone sue Toyota or Ford if someone driving their vehicle hits someone? Can someone sue Home Depot or Lowe's if someone buys a hammer there and kills someone? This bill should be thrown out immediately.

Thank you

**HB-426**

Submitted on: 2/11/2023 4:05:29 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Deb Nehmad	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill.

thank you

deb Nehmad

**HB-426**

Submitted on: 2/11/2023 4:44:04 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gary Robinson	Individual	Oppose	Written Testimony Only

Comments:

I strongly OPPOSE this bill

This bill has poorly defined terms, and/or subjective vs objective terms and definitions. There are already laws meant to punish the person who illegally alters a firearm, or performs illegal activities. It is not reasonable to hold businesses liable when someone uses their products in inappropriate or illegal ways.

Below are just a couple of the poorly defined or subjective sections of the bill.

"Reasonable controls", and "reasonable precautions" are very vague, subjective terms. This provides way too much latitude to prosecutors who may have an agenda to harass legally compliant business persons.

"Assaultive" vs "self defense" capabilities of a firearm is a subjective description.

**HB-426**

Submitted on: 2/11/2023 4:49:35 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jacob Holcomb	Individual	Oppose	Written Testimony Only

Comments:

This bill is as cynical as it gets. The authors are not trying to regulate the firearms industry, but utterly destroy it while enriching attorneys who are more than happy to take advantage of a tragedy. There's zero evidence of public safety benefit, and more likely this will help create a thriving black market where nothing can be tracked back to a legitimate gun store.

**HB-426**

Submitted on: 2/11/2023 9:12:09 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
steven a kumasaka	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE

**HB-426**

Submitted on: 2/11/2023 11:13:34 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
kimo galon	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB426. If passed this bill will set precedence for someone who was victimized by anything to sue the company where that item came from. For example automobile companies are exempt from civil liability unless the vehicle had some major malfunction that caused injury or death. Firearms makers have been exempt and shall remain exempt from civil liability.

This bill will also put hardworking Americans and companies out of business. AG, attorneys and/ or prosecutors have no right and is a great overreach by the government if passed. Law abiding citizens shall not be responsible for criminals actions. We should concentrate our efforts in going after criminals and pushing law and order

**HB-426**

Submitted on: 2/11/2023 11:40:06 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Eric Hammond	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Eric Hammond and I strongly oppose this bill.

Shame on you legislators who introduced this bill. You have literally copied New York and other state's laws that they have tried to pass and every single one of them is being held up in court as unconstitutional.

The simple answer is no one needs to know what I buy. That is my business, not the governments.

I already went through a background check to get my firearms, now I will have to pay for it again?

Should we run background checks on everything that can potentially be deemed dangerous?

When I go to the store for gas or groceries, should I have to pass a background check for common things that can be made into a weapon?

None of this will prevent crime. You will instead be creating a BLACK MARKET for all these things.

Again, law abiding citizens are being treated like criminals.

As for the other part of the bill, it is misguided to allow frivolous lawsuits against entities involved in a firearm.

Shall we sue all auto makers every time someone gets a DUI? Sue every bike maker/parts maker every time someone crashes on their bikes?

As if we don't have enough litigation in our culture.

Please spend your time on more important issues like the overwhelming cost of housing/living/etc. here in Hawaii, rather than trying to solve problems that don't exist in Hawaii.



Like Firearms, with one of the lowest death rates in the nation.

And that's because of the Aloha spirit we still have here. Not from our overly strict laws.

Mahalo

**HB-426**

Submitted on: 2/12/2023 10:24:40 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Philip Tong	Individual	Oppose	Written Testimony Only

Comments:

I oppose this new proposed set of ridiculous hoops to jump thru for law abiding citizens. if you would concentrate more on the criminals maybe the crime rates would go down and citizens actually safer. thank you for your consideration.

**HB-426**

Submitted on: 2/12/2023 12:47:27 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Glenn	Individual	Oppose	Written Testimony Only

Comments:

To our elected leaders and representatives,

It is amazing the creativity you guys have in inventing more ways to infringe upon the rights of your constituency.

Shame on you who proposed this bill because you have just violated your oath of office once again.

You are probably gonna get tired of hearing this but NYSRPA v Bruen clearly outlined what is permissible in any legislation that deals with the Second Amendment and that is the need for the government to provide justification in the form of historical analogues during the founding of the Second Amendment which is 1791 or founding era up until the ratification of the 14th Amendment. If no appropriate analogues are found, then the bill does not meet constitutional muster.

Furthermore, creating a law that is unconstitutional, violates the constitutional avoidance principle and clearly makes no sense. It is frustrating to see you guys take the approach of pushing something through that violates what is sacred.

I get that your desire is for public safety--please realize that we, the law abiding gun owning community, want the same thing. You will not find a better trained, better equipped more responsible group of people in your community than us. We know what is going on in our communities, where we live and work and go about our daily lives. Do you? We would not be fighting for this if we knew what was at stake.

I oppose the mandate for people to have insurance to carry. While I don't disagree that having liability insurance may be a good idea, it should not be mandated from the government. This is government overreach and a responsibility of the private citizen.

The additional requirements for people to meet to have a CCW are unreasonable and unnecessary. Let me remind you that requirements need to be few and objective. Anything subjective like social media or character references or an interview with HPD that gives anyone so called discretion as to whether someone is fit to carry is unconstitutional. Furthermore, there was a gentleman, that testified on behalf of the HPD Records Department during the SB882 hearing that expressed concerns about the department's ability to be able to process all these applications

in a timely and thorough manner. Also had questions about the efficacy of such a process to meet the objective it is supposed to. Remember any delay in processing is in violation of our rights to have this done in a timely manner.

Any sensitive place legislation needs to be limited to 4 possible places, court houses (which already have heightened security), election polling places, government buildings where laws are made and schools but only to restrict students not faculty, staff or other workers. Anything beyond this is in clear violation of NYSRPA v Bruen and the Constitution of Hawaii and the US.

The bottom line is, you are not trying to do what other jurisdictions like NYC, NJ and CA are trying to implement as well and if you have kept up with the rulings they are being defeated in court. Why are you proposing something that will ultimately be determined to be unconstitutional after a huge waste of tax payer dollars, not to mention time to ultimately come to this end.

Fact of the matter is, no anti gun legislation will affect who you want it to affect. Criminals are gonna do what they do. They care nothing about any law you pass. You are only hurting the law abiding, tax paying person who elected you into office. Why don't know you right by us and throw this out. If you go through with this, you are really don't what favors the criminals in our communities.

I want to share one more thing with you regarding the most comprehensive and recent study done on this issue <https://thereload.com/podcast-georgetown-professor-on-his-groundbreaking-survey-of-gun-owners/>. Dr William English of Georgetown University conducted a study that substantiates that fact that guns are used lawfully more than 1.6 million times annually to prevent crime and loss of life. Many times without the gun ever being fired.

If you restrict the law abiding gun owner, you are putting the public in more danger. Guns save lives, you may not believe or want to believe this but it is FACT! And even if you don't choose to believe this we are talking about a RIGHT not a privilege. The right to keep and bear arms publicly is not going to go away. Its time that everyone learn how to live in this new reality.

Thanks for hearing us.

Aloha,

Glenn

**HB-426**

Submitted on: 2/12/2023 1:32:43 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Casey Nakama	Individual	Oppose	Written Testimony Only

Comments:

I oppose!

**HB-426**

Submitted on: 2/12/2023 1:50:13 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Will Caron	Individual	Support	Written Testimony Only

Comments:

Please support HB426.

**HB-426**

Submitted on: 2/12/2023 2:16:52 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ellen Godbey Carson	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill. Setting enforceable standards for our firearms industry is one of the important steps we can take to help ensure commercial sales of firearms are done in a safe and reasonable standard.

Ellen Godbey Carson

**HB-426**

Submitted on: 2/12/2023 3:05:51 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Shane	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill



**HB-426**

Submitted on: 2/12/2023 3:09:53 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sterling	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill

**HB-426**

Submitted on: 2/12/2023 6:52:22 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Eric Akiyama	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB426.

**HB-426**

Submitted on: 2/12/2023 8:04:12 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Samuel Webb	Individual	Oppose	Written Testimony Only

Comments:

I should not need to get a background check to buy firearm spare parts.

**HB-426**

Submitted on: 2/12/2023 11:16:23 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jon Abbott	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE HB426 and urge you to vote NO on this measure.

This bill is part of a long standing strategy by political groups that hate the ability of average people to own guns for self defense. The strategy seeks to make companies involved in the firearm industry liable for the misuse of their products by criminals.

Federal Law already protects Firearm and Firearm accessory manufacturers and retailers from frivolous litigation in the **Protection of Lawful Commerce in Arms Act (PLCAA)**.

The law affords those in the firearm industry with the same protections as other industries.

A few weeks ago a young mother and her 6 month old infant were violently hit by a man in a Honda Civic who then beat the woman and a Good Samaritan with a tire iron. No one considers blaming the car manufacturer or the hardware store for selling the man the tire iron. This same logic must be applied to those engaged in the firearms industry.

I urge you to OPPOSE HB426.

Mahalo,

Jon Abbott

**HB-426**

Submitted on: 2/13/2023 12:31:46 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Rik Rutt	Individual	Oppose	Written Testimony Only

Comments:

I am strongly opposed to this bill. To treat any firearm part or accessory the same as a firearms is ridiculous. A solid metal pin or a spring requiring a background check is insane. A part one could make or get at a hardware store that is by no means a firearm. Add to that the excessive undue burden that this would place on our already short staffed and overworked law enforcement. I hope that this committee will use common sense to end it bill that is a gross infringement on our rights and will only have negative effects on our community with absolutely no benefit.

**HB-426**

Submitted on: 2/13/2023 12:46:47 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cheryl Tanaka	Individual	Oppose	Written Testimony Only

Comments:

Could put gun stores out of business, it violates " History and Tradition" in Bruen.

**HB-426**

Submitted on: 2/13/2023 3:08:37 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Xavier Baker	Individual	Oppose	Written Testimony Only

Comments:

Opposed to this bill for the fact that this will not only waste more money, but also time and resources that Hawaii doesn't have in the first place.

**HB-426**

Submitted on: 2/13/2023 6:21:59 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dwayne Lim	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB426. “The Protection of Lawful Commerce in Arms Act - (Sec. 3) Prohibits a qualified civil liability action from being brought in any state or federal court against a manufacturer or seller of a firearm, ammunition, or a component of a firearm that has been shipped or transported in interstate or foreign commerce, or against a trade association of such manufacturers or sellers, for damages, punitive damages, injunctive or declaratory relief, abatement, restitution, fines, penalties, or other relief resulting from the criminal or unlawful misuse of a firearm. Requires pending actions to be dismissed.” Thank you for the opportunity to present my comments.



**HB-426**

Submitted on: 2/13/2023 6:22:30 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kelly Lim	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB426. “The Protection of Lawful Commerce in Arms Act - (Sec. 3) Prohibits a qualified civil liability action from being brought in any state or federal court against a manufacturer or seller of a firearm, ammunition, or a component of a firearm that has been shipped or transported in interstate or foreign commerce, or against a trade association of such manufacturers or sellers, for damages, punitive damages, injunctive or declaratory relief, abatement, restitution, fines, penalties, or other relief resulting from the criminal or unlawful misuse of a firearm. Requires pending actions to be dismissed.” Thank you for the opportunity to present my comments.

**HB-426**

Submitted on: 2/13/2023 7:24:46 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jefferson Foust	Individual	Oppose	Written Testimony Only

Comments:

As a retired navy veteran that spent most of my life defending the constitution I oppose this bill.  
As it does not go with the spirit of the land of the free and it does not correlate with 2a.

**HB-426**

Submitted on: 2/13/2023 8:18:20 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Corinne Solomon	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB426

**HB-426**

Submitted on: 2/13/2023 9:03:21 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
JoAnn Salakielu	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to this bill.

**HB-426**

Submitted on: 2/13/2023 8:35:17 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
William pacatang	Individual	Oppose	Written Testimony Only

Comments:

Criminal should be the only one liable for his/her actions.

**HB-426**

Submitted on: 2/13/2023 9:17:02 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
David Fukuzawa	Individual	Oppose	Written Testimony Only

Comments:

Dear Honorable Representatives,

I am opposed to this bill. It is much too vague as to what would be considered an accessory added to a firearm. It leaves it too non-specific as to what would be considered more dangerous. I am an owner of firearms and retired from law enforcement - it is not the firearm that is dangerous, but the individual behind that firearm that makes it dangerous. While I believe there are some devices that I believe make a firearm unnecessary in anyone's home such as bumpstocks, automatic trigger devices, shortened barrels for long guns...your bill is so vague that scopes, light attachments, night sights, etc would also be illegal for selling and manufacturing. You need to clean up this bill or delete it completely and review who is operating the firearm.

Sincerely,

David Fukuzawa

**HB-426**

Submitted on: 2/13/2023 9:29:56 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michael Botello	Individual	Oppose	Written Testimony Only

Comments:

I am writing to oppose bill HB426. It is vague, overly broad, and seeks to entrap anyone in the business of firearms by holding them accountable for the criminal actions of another person. The safeguards against illegally manufactured firearms are already established and must be adhered to by anyone in the firearms industry. The state adding their own laws on top of what the Federal Government already regulates is a naked attempt to place onerous and burdensome penalties upon the people of Hawaii that make up the firearms industry here. It is obvious by this piece of legislation and many others like it, that a significant portion of the legislature of Hawaii hates firearms ownership and they are willing to ruin and oppress anyone who does. This bill is not about public safety, it is about suffocating the firearms industry here in Hawaii.

**HB-426**

Submitted on: 2/13/2023 9:44:14 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lisa Toriki	Individual	Oppose	Written Testimony Only

Comments:

"...the right of the people to keep and bear arms, SHALL NOT BE INFRINGED"

"THE RIGHT OF SELF DEFENSE IS THE FIRST LAW OF NATURE: in most governments it has been the study of rulers to confine this right within the narrowest limits possible." (St. George Tucker)

*NEW YORK STATE RIFLE & PISTOL ASSOCIATION, INC., ET AL. v. BRUEN*

*United States v. Lopez*

*McDonald v. City of Chicago*

*District of Columbia v. Heller*

*Caetano v. Massachusetts*



**HB-426**

Submitted on: 2/13/2023 9:47:53 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Eric Kaneshiro	Individual	Oppose	Written Testimony Only

Comments:

This bill is written such that it is difficult to know with certainty what is legal and what is not.

As a law-abiding U.S. citizen and resident of the State of Hawaii, I believe there are adequate federal and state laws to effectively deal with the unlawful possession and use of firearms by any perpetrator.

I support legislation that mandates a consistent, swift and appropriate penalty for any illegal possession or use of a firearm.

I do not support any effort or legislation that infringes upon the rights of law-abiding citizens and will vote accordingly.

Mahalo

**HB-426**

Submitted on: 2/13/2023 10:41:24 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Andy ozie	Individual	Oppose	Written Testimony Only

Comments:

This bill makes no sense. Nothing has happened to even introduce such an illogical bill.

Why can't we sue Pfizer for vaccine side effects?

Is it because firearm Industry members don't line your pockets?

Tyrant

**HB-426**

Submitted on: 2/13/2023 11:06:28 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
joshua	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. It is very over reaching, and the ATF has already clearly defined what a firearm is. Passing this law to include accessories is irresponsible

**HB-426**

Submitted on: 2/13/2023 11:35:42 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
mitchell weber	Individual	Oppose	Written Testimony Only

Comments:

I strongly OPPOSE HB426,

The state cannot use the federal background check system to check for items that are not regulated as arms. This is not the first time you have proposed to improperly misuse the process. The FBI has already warned the state about this. Are the legislators that keep doing this legally illiterate, or is this a malicious attempt to subvert both Fed/State law?

Regards,

Mitchell Weber

**HB-426**

Submitted on: 2/13/2023 12:38:08 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Victor Muh	Individual	Oppose	Written Testimony Only

Comments:

This is a free country, and this proposal is not being thought through. If a firearm industry "member" can be held liable for the actions taken by the owner of a firearm, where does that lead? Knife industry? Tool industry? Medical industry? Automobile industry?

Why are you wasting time and out tax money on these frivolous pursuits?

**HB-426**

Submitted on: 2/13/2023 12:50:55 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
noela von	Individual	Oppose	Written Testimony Only

Comments:

Protect the 2nd Amendment and Uphold your Oath to Protect The United States Constitution.

**HB-426**

Submitted on: 2/13/2023 12:54:59 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
julie schaus	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB426

this is illegal, unlawful and discriminatory

**HB-426**

Submitted on: 2/13/2023 1:03:56 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Randy Cheung	Individual	Oppose	Written Testimony Only

Comments:

seems like someone wrote a bill just so that they could go and sue a bunch of people. sad.



**HB-426**

Submitted on: 2/13/2023 1:04:56 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Glenn Pablo	Individual	Oppose	Written Testimony Only

Comments:

Aloha House Committee Members,

I would like to express my opposition of this bill.

This affects many firearms owners who use their legally owned weapons for hunting, recreational and competition shooting. Furthermore, legal owners with physical impairments/disabilities, may need additional firearm related products or firearm accessories in order to safely operate their weapon.

Thank you for your time.

Respectfully,

Glenn Pablo

**HB-426**

Submitted on: 2/13/2023 1:14:53 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Chad K Taniguchi	Individual	Support	Written Testimony Only

Comments:

I support HB426. People who deal with dangerous weapons need accountability. Mahalo.

**HB-426**

Submitted on: 2/13/2023 1:17:17 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kekai Alferes	Individual	Oppose	Written Testimony Only

Comments:

This is silly. Focus on the people who misuse the tools not the makers.

**HB-426**

Submitted on: 2/13/2023 1:21:45 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Greg schaus	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB426

this is unlawful, illegal and discriminatory.

**HB-426**

Submitted on: 2/13/2023 1:27:59 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cristina Rothwell	Individual	Oppose	Written Testimony Only

Comments:

Please do not pass this as it is a slippery slope for other industries. Individuals must be help accountable for their own actions. Please allow law abiding citizens to protect themselves

**HB-426**

Submitted on: 2/13/2023 1:33:10 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jayme Kealoha-Dacuycuy	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB426.

**HB-426**

Submitted on: 2/13/2023 1:47:14 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Douglas C. Moose	Individual	Oppose	Written Testimony Only

Comments:

This bill purports to regulate items that may be used for firearms, yet the items are not themselves firearms.

Classifying an item as increasing the lethality of a firearm is subjective. Using ammunition with hollow points, a higher Feet Per Second (FPS) rating, or magnified optics functionally increase the lethality of firearms. To try to single out any specific enhancements or components as making a firearm "more lethal" is unenforceable.

Firearms by design are inherently "dangerous and lethal" devices -- i.e. Lethal Force. To pretend that one upgrade or another makes a lethal weapon "too lethal" is unreasonable.

**HB-426**

Submitted on: 2/13/2023 1:54:14 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Tatiana Maumausolo	Individual	Oppose	Written Testimony Only

Comments:

Another unconstitutional bill!



**HB-426**

Submitted on: 2/13/2023 1:54:28 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sam schaus	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB426

this is illegal, discriminatory, punitive and unlawful.

**HB-426**

Submitted on: 2/13/2023 1:58:32 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nicole Brown	Individual	Oppose	Written Testimony Only

Comments:

I am a law abiding citizen.

The 2nd Amendment protects my right to carry a firearm so that I may protect myself.

Bills like this do not support my rights as an American Citizen.

Bills like this actively restrict my rights and the rights of all Americans.

These laws empower and encourage criminals.

The average police response time can be anywhere from 3 minutes to 15 minutes, by that time I could be beaten, raped or killed.

Do not restrict my ability to protect myself or my family.

It is your responsibility to encourage your citizens to protect themselves and their community.

Unless your goal is to make your citizens victims.

**HB-426**

Submitted on: 2/13/2023 1:56:52 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Daniel Gabriel	Individual	Oppose	Written Testimony Only

Comments:

I disagree with this resolution. A manufacturer, distributor or salesperson of a firearm, firearms parts or ammunition should not be held liable for the actions of an individual's misuse or misconduct with a firearm.

**HB-426**

Submitted on: 2/13/2023 3:40:25 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Stephen T Hazam	Individual	Oppose	Written Testimony Only

Comments:

Please OPPOSE HB 426. This will not enhance public safety or accountability. This vaguely written bill will result in frivolous lawsuits at the expense of the taxpayer. Please OPPOSE HB 426

**HB-426**

Submitted on: 2/13/2023 4:06:46 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Tai Horen	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB 426

**HB-426**

Submitted on: 2/13/2023 5:19:22 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Anthony Loui	Individual	Oppose	Written Testimony Only

Comments:

Aloha!

This testimony is in reference to HB426 in regards to establishing industry standards, etc.

"Firearm-related product" means anything and everything related to firearms. Every single product would need "reasonable control". Do we have to wait for a court case to establish whose version of "reasonable" we are talking about? To handle straw purchases the ATF has the 4473 form which asks if the purchaser is buying the firearm for themselves or someone else, and that is it. The person can check whatever box they want. Is that the standard for reasonable? As far as traffickers/felons/not allowed to own a firearm this state requires a background check and a permit issued by HPD. Is that the standard for reasonable? A person would have to wait for a background check and issued permits to purchase anything related to their firearm. This is not a clear standard and is so vague that the actual logistics would be ridiculous.

"Assaultive purposes". As far as I understand that term there is no real solid definition of what that would qualify. Historians trace that type of term back to a political bill. Meaning that the definition of "assaultive" changes state by state as well as by whoever has written said bills. The earlier definitions basically were based on cosmetic looks to define these parts when they in fact had no effect on the actual mechanical operation of the firearm, speed of the round, or cyclic rate of firing. The more recent definitions are so focused on what could make a firearm more comfortable to shoot/adjust to your personal body build and the definitions so vague that they would include nearly any and all current parts one the firearm from the factory that let you even operate the firearm safely. This indicates to me, that there is little understanding of how firearms actually work. These should focus on mechanical aspects of the firearm that would actually make it faster to fire, etc. Though I do believe those types of mechanical pieces are already illegal/heavily regulated by the ATF for the regular citizen.

Legal liability for any industry member even if said "assaultive part" includes a criminal act by a third party. This part I find extremely unagreeable. If you wanted to declare firearms a strict liability as the firearm is what can cause death then I might see a point. But to assume the accessories, which have little to do with the actual function of the firearm, as the dangerous component is what I feel is a waste of time. Not to mention accessories are not controlled items so many can just order them over the internet straight to their homes. On the extreme end, this would drive local businesses out of business and I doubt the state would pursue legal cases against businesses in other states.

Accessories that have been used to increase the fire rate of the firearm (i.e. bump stocks, bump triggers, etc) have already been banned in HI so if that is the main point of this bill then this would be a redundant bill.

Thank you and Mahalo!

**HB-426**

Submitted on: 2/13/2023 5:43:02 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
William Hawkins	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.



**HB-426**

Submitted on: 2/13/2023 6:37:21 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michael A. Wee	Individual	Oppose	Written Testimony Only

Comments:

I strongly OPPOSE HB426. This measure puts undue liability on businesses that currently require a valid permit from HPD for any firearm purchase. HPD has the resources to investigate and evaluate a potential firearm owner. Gun stores and gunsmiths do not. Existing law already precludes sales to straw buyers, minors, and prohibited persons.

**HB-426**

Submitted on: 2/13/2023 6:45:54 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
K Tom	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB426

**HB-426**

Submitted on: 2/13/2023 9:48:52 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
David Ruiz	Individual	Oppose	Written Testimony Only

Comments:

Stop infringing on our Second Amendment rights!

**HB-426**

Submitted on: 2/13/2023 10:13:30 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Emerson	Individual	Oppose	Written Testimony Only

Comments:

Creating red tape and more rules will make it difficult for these industry members to provide guns and ammo. Ex. Banning one piece of a gun could mean several models of guns are banned which would make it that much more difficult to obtain therefore infringing on the 2nd amendment. We're not afraid of other people shooting us, we're afraid of the government coming after us. We know the play book and it'll be similar to Australia. People are watching and they are seeing.

**HB-426**

Submitted on: 2/14/2023 6:32:45 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lyle HIromoto	Individual	Oppose	Written Testimony Only

Comments:

To Whom it may concern,

I respectfully oppose this bill because it contains vague language and tries to recover damages for criminal misuse.

Thank you

**HB-426**

Submitted on: 2/14/2023 6:50:43 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Frank Schultz	Individual	Oppose	Written Testimony Only

Comments:

[House Bill 426](#) aims to undermine the [PLCAA](#) and subject licensed firearm manufacturers and sellers to frivolous lawsuits brought to recover damages for the criminal misuse of their products in order to bankrupt them. It contains vague language regarding what is considered unacceptable conduct of business subject to these lawsuits.

**HB-426**

Submitted on: 2/14/2023 6:51:58 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
William Iaela	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern,

Once again our Hawaii State Legislature seeks to propose and enact measures that are unconstitutional, arbitrary, and a waste of both the public's tax dollars and our time. Now we see them trying to use the boogeyman "scary looking parts" argument to hold firearms manufacturers and law abiding gun owners to standards and penalties that anyone would hold to be laughable if applied to other individuals or industries.

It is simply a backdoor attempt to drive companies out of business by exposing them to lawsuits that have no merit in order to bankrupt them. It is another blatant move to attack the 2nd Amendment and the rights of legal gun owners of these United States of America.

As an example, no one has thought to propose legislation to make owners of cars or car manufacturers, especially ones that have a tire iron in it, liable to punishments specific to them only. What about kitchen knives or baseball bats? Yet I would be confident to say that far more individuals have been injured or harmed with these items here in Hawaii than any non-specific "firearm product", the latest tragic example happening to a mom pushing her child in a stroller in Mililani and the Good Samaritan who tried to come to her defense. If they had been able to defend themselves with a legally carried firearm they could have prevented the injuries they had to suffer the, and will have to deal with in the future, at the hands of a criminal with hateful intent in his heart.

More importantly, it seeks to hold responsible and punish a person or entity for the illegal actions of another.

I firmly oppose this bill on the grounds that it is absolutely misdirected and utterly unconstitutional.

William Iaela

**HB-426**

Submitted on: 2/14/2023 7:53:52 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Brandon Allen Kainoa Leong	Individual	Oppose	Written Testimony Only

Comments:

**I oppose HB426.** When are we going to stop blaming the firearms industry for the actions of people who commit crimes? Do we sue car companies for drunk drivers killing people. No because it is not the fault of the car or the manufacturer of the car. It is the fault of the idiot behind the wheel that decided to drive his or her car while intoxicated just like it is the person holding the gun that is at fault for committing the crime. Stop trying to demonize an industry because you don't like the product that they produce.

Brandon Leong

VP Hawaii Rifle Association



**HB-426**

Submitted on: 2/14/2023 8:11:24 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dustie Nelson	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB 426.

**HB-426**

Submitted on: 2/14/2023 8:42:14 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dennis Miller	Individual	Oppose	Written Testimony Only

Comments:

I feel it is unreasonable to hold manufacturers responsible for the actions of others that use their product illegally and wrecklessly. Honest and law abiding citizens do not act in this manner.

Mahalo

Dennis Miller

**HB-426**

Submitted on: 2/14/2023 9:11:56 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
James J Pickens	Individual	Oppose	Written Testimony Only

Comments:

HB426 is targeting our second amendment rights. If this is passed there also needs to be the ability to sue car manufacturers for family members that were killed by a drunk driver using one of their vehicles. Sounds crazy right?

**HB-426**

Submitted on: 2/14/2023 9:13:59 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Tom Galli	Individual	Oppose	Written Testimony Only

Comments:

Please vote against this bill. It does nothing to enhance public safety. It does serve to erode constitutional rights and place additional taxpayer burdens.

**HB-426**

Submitted on: 2/14/2023 9:17:04 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
John Terry	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill as it's aims to bankrupt the firearm industry with frivolous lawsuits.

**HB-426**

Submitted on: 2/14/2023 9:20:38 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Don Clark	Individual	Oppose	Written Testimony Only

Comments:

As we all know and undoubtedly have heard, or experienced, criminals don't follow the law. By putting restrictions on law-abiding citizens from protecting themselves from criminals, and repeat criminals at that, this bill encourages those repeat offenders to prey on the least protected areas of our society. Businesses or places of worship should be able to determine whether or not they want to allow firearms, not the government. This bill continues the power-hungry government's continued grasp and an unrelenting desire to control citizens. We control the government, not the other way around.

**HB-426**

Submitted on: 2/14/2023 9:47:11 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
David Reaume	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill it's unconstitutional

**HB-426**

Submitted on: 2/14/2023 9:47:25 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
John Harper	Individual	Oppose	Written Testimony Only

Comments:

again why do you want to punish the gun manufactuers when they make a lawfull product that harms no one unless its miss used, do you plan to do the same to the car makers when they are miss used ? this is just another half baked plan that will solve nothing.



**HB-426**

Submitted on: 2/14/2023 9:47:45 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kevin J. Cole	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I strongly oppose this Bill. Constitutional Rights are not to be trifle with.

Kevin J Cole, Cole. USAF ret.

**HB-426**

Submitted on: 2/14/2023 9:47:53 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Brian Isaacson	Individual	Oppose	Written Testimony Only

Comments:

Congress has provided the firearms industry with protection against frivolous lawsuits and this bill seeks to side-step Federal law.

**HB-426**

Submitted on: 2/14/2023 10:16:40 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lesha Mathes	Individual	Oppose	Written Testimony Only

Comments:

Encouraging frivolous lawsuits is not helpful to anyone. There are already enough of those. The person responsible for what is done with a weapon is the person holding the weapon not the person who made it for lawful purposes. Are you going to propose a law for knife manufacturers? This is absurd. Again Gov't overreach. It needs to stop!

**HB-426**

Submitted on: 2/14/2023 10:28:11 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Alan Mefford	Individual	Oppose	Written Testimony Only

Comments:

Current laws are adequate to cover this area. The contents of this Bill are unnecessary and an obvious attack on the firearm industry.

**HB-426**

Submitted on: 2/14/2023 10:30:40 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Stanley Mendes	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB426

**HB-426**

Submitted on: 2/14/2023 10:33:42 AM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
gary post	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. The Hawaii Legislature is attempting to make legitimate business responsible for the nefarious actions of third parties.

Clearly unjust and non-constitutional.

**HB-426**

Submitted on: 2/14/2023 12:02:21 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Donald Correia	Individual	Oppose	Written Testimony Only

Comments:

Overreaching from the government

**HB-426**

Submitted on: 2/14/2023 1:12:13 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lee Uchiyama	Individual	Oppose	Written Testimony Only

Comments:

The ATF already heavily regulates the firearm industry which includes all firearm accessories/parts. Because of this, this bill is unnecessary and overburdens retailers.



**HB-426**

Submitted on: 2/14/2023 1:13:17 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kahana Kauahi	Individual	Oppose	Written Testimony Only

Comments:

I am a law abiding citizen and HB426 infringes on my God Given 2nd amendment rights. I oppose HB426.

Kahana Kauahi

**HB-426**

Submitted on: 2/14/2023 1:24:43 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kyle Hara	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

**HB-426**

Submitted on: 2/14/2023 1:37:11 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
D Y	Individual	Oppose	Written Testimony Only

Comments:

Oppose oppose oppose HB426. Stop degrading the rights of the people. You were hired to uphold the The Constitution.

**HB-426**

Submitted on: 2/14/2023 1:51:19 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Barry Aoki	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE HB426 in its entirety. This proposed bill is designed to allow deep pocket government to put small business and large business that deal lawfully in firearms out of business.

Can another bill similar to this one be created for the automotive industry? More people die from motor vehicles than by guns in Hawaii. I don't see government going after businesses in this industry.

Harm comes from individuals who want to harm others by any means. The mechanical device doesn't have the ability to decide if it will harm or help people. Go after the individual who committed the harm.

OPPOSE HB426 in its entirety.

Barry Aoki of Lahaina, Maui, HI

**HB-426**

Submitted on: 2/14/2023 1:54:28 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Roberto Viernes	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill as it represents several infringements on US Citizens to bear arms as written in the 2nd Amendment of the Constitution of the United States. Thank you for your service.

**HB-426**

Submitted on: 2/14/2023 2:06:54 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sam Cavitt	Individual	Oppose	Written Testimony Only

Comments:

I am a citizen of USA and Hawaii resident and law abiding firearms owner. I own firearms as a hobbyist, admirer of the technology and sportsman all of which fall under my unalienable right as an American of the pursuit of happiness and as an American with the constitutional second amendment right to do so. This bill is in direct conflict with my right to privacy and also my right do due process as it disregards these rights in order for me to pursue the previously stated rights of pursuit of happiness and my second amendment rights. All of these fundamental American principles must be upheld.

This bill unilaterally disregards the rights of a significant portion of our country in favor of the convenience and expediency of another segment's ideology. No American individual or agency should have the power to exercise that type of authority without due process. As such, this bill if passed will undoubtedly be overturned on constitutional grounds. Rendering this entire process an irresponsible waste of time and resources as well as a harassment as noted above.

Thank you

**HB-426**

Submitted on: 2/14/2023 3:22:17 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Terrence Ishikawa	Individual	Oppose	Written Testimony Only

Comments:

This bill is intended to limit the 2nd amendment freedoms of law abiding citizens. If this logic held true someone who sold auto parts that could increase the horsepower and speed of a car could be sued if the car that had these parts installed got into an accident while speeding. Just as an auto parts dealer has no idea of how the purchaser will use the car, a person who sells legal gun parts has no idea how they will be used. This bill is just a blatant attempt to put the firearms industry out of business.

**HB-426**

Submitted on: 2/14/2023 4:31:06 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Scott Nagai	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I'm writing in opposition of HB 426. Let's include a code of conduct for vehicle manufacturers when someone uses a vehicle to plow through a crowd of people like what just happened in New York. Once again a ridiculous bill has been thought of.

V/r,

Scott Nagai



**HB-426**

Submitted on: 2/14/2023 4:56:26 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Susan Shaheen Mulkern	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose HB 426 as it is counterproductive. It takes the onus off those responsible for committing crimes. I believe our efforts are better served spending money to help those misguided individuals committing the crimes to rehabilitate them and help them be productive members of our community.

Respectfully submitted,

Susan Mulkern

**HB-426**

Submitted on: 2/14/2023 7:19:45 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Brandi Bright	Individual	Oppose	Written Testimony Only

Comments:

I disagree with this bill

**HB-426**

Submitted on: 2/14/2023 7:37:29 PM

Testimony for JHA on 2/14/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Benjamin Seay	Individual	Oppose	Written Testimony Only

Comments:

I do not support this bill. It undermines the PLCAA and encourages frivolous lawsuits.