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# A BILL FOR AN ACT

RELATING TO FIREWORKS.

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

1           SECTION 1. The legislature finds that, despite the  
2 penalties for the illegal use of aerial devices under the  
3 State's fireworks statutes, individuals continue to set off,  
4 ignite, or otherwise cause aerial devices to explode without  
5 proper authorization, especially late at night.

6           The legislature further finds that eighty per cent of fines  
7 collected by courts for violations of the Fireworks Control Law  
8 is allocated to the counties for purposes of law enforcement,  
9 while twenty per cent is allocated to the State. The  
10 legislature believes that county police departments have a  
11 greater incentive to enforce the law when minimum fines for  
12 prohibited activities are raised.

13           Accordingly, the purpose of this Act is to increase the  
14 minimum penalty imposed upon homeowners, renters, and managers  
15 of real property when they intentionally, knowingly, or  
16 recklessly allow others to unlawfully use aerial devices from  
17 their respective properties after 9:00 p.m. and before 9:00 a.m.



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

3 "(b) Except as provided in subsection (a) or as otherwise  
4 specifically provided for in this chapter, any person violating  
5 any other provision of this chapter, shall be fined no more than  
6 \$5,000 for each violation. Notwithstanding any provision to the  
7 contrary in this section, any person violating section 132D-14.5  
8 shall be fined [~~at least~~] no less than \$500 and no more than  
9 \$5,000[-]; provided that when the violation involves aerial  
10 devices that are set off, ignited, or otherwise caused to  
11 explode outside of the hours specified in section 132D-4(b), the  
12 fine shall be no less than \$1,000."


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

16 SECTION 4. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

  
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JAN 19 2023



# H.B. NO. 325

**Report Title:**

Fireworks; Aerial Devices; Homeowners; Late Hours; Penalty

**Description:**

Increases the minimum penalty imposed upon homeowners, renters, and managers of real property when they intentionally, knowingly, or recklessly allow others to unlawfully use aerial devices from their respective properties after 9:00 p.m. and before 9:00 a.m.

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

