

Honolulu, Hawaii

MAR 21 2025

RE: H.B. No. 1483
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committees on Public Safety and Military Affairs and
Judiciary, to which was referred H.B. No. 1483, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FIREWORKS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish an adjudication system and procedures to process fireworks infractions;
- (2) Amend multiple definitions and penalties for fireworks offenses, including heightened penalties if another person suffers substantial bodily injury, serious bodily injury, or death as a result of the fireworks offenses;
- (3) Establish various criminal offenses and penalties related to fireworks or articles pyrotechnics; and
- (4) Appropriate funds.

Your Committees received testimony in support of this measure from the Office of the Attorney General, Department of Law Enforcement, Hawaii State Fire Council, Honolulu Police Department, Honolulu Fire Department, Hawai'i Police Department,



Department of the Prosecuting Attorney of the County of Maui, Hawaiian Humane Society, and eight individuals.

Your Committees received testimony in opposition to this measure from the Office of the Public Defender, Libertarian Party of Hawaii, and two individuals.

Your Committees received comments on this measure from Phantom Fireworks and TNT Fireworks.

Your Committees find that there is an urgent need for a more structured approach to fireworks enforcement in the State. This measure will address critical weaknesses in the current regulatory framework by establishing a dedicated adjudication system that will streamline the processing of fireworks infractions, allowing for more efficient enforcement and prosecution. This measure will also establish a graduated penalty structure that appropriately reflects the severity of violations, particularly those resulting in serious injury or death, which serves as both a deterrent and an appropriate response to the harm caused.

Your Committees have amended this measure by:

- (1) Specifying that a person commits the offense of general fireworks or articles pyrotechnic prohibitions in the second degree if the person without a permit intentionally, knowingly, or recklessly sets off, ignites, discharges or otherwise causes to explode any aerial device, articles pyrotechnic, or display fireworks or throws, catapults, or otherwise manually propels ignited aerial devices, articles pyrotechnic, consumer fireworks, or display fireworks;
- (2) Specifying that it shall be unlawful for any person to purchase, possess, set off, ignite, discharge, or otherwise cause to explode any consumer fireworks without a permit or within a certain period of time, except that a person licensed may purchase or possess consumer fireworks in accordance with the person's license;
- (3) Specifying that it shall be unlawful for any person other than a licensed wholesaler who is distributing



consumer fireworks to a licensed retailer in accordance with the person's license, to distribute consumer fireworks under certain circumstances;

- (4) Clarifying that the application for a fireworks license shall be made on a form setting forth the date upon which the storage or distribution are to begin, the address of the location of the licensee, and the name of the proprietor or, if a partnership, the name of the partnership and the names of all partners or, if a corporation, the name of the corporation and the names of its officers;
- (5) Clarifying that it shall be unlawful for any licensee, other than a licensed wholesaler who is distributing fireworks or articles pyrotechnic to a licensed retailer pursuant to the person's license, to distribute any fireworks or articles pyrotechnic at any time to any person who does not present a permit;
- (6) Clarifying that the permit shall be signed by the seller or transferor at the time of distribution of the fireworks or articles pyrotechnic, and the seller or transferor shall indicate on the permit the amount and type of fireworks or articles pyrotechnic distributed;
- (7) Clarifying that no person shall distribute fireworks to any permittee in any amount in excess of the amount specified in the permit, less the amount shown on the permit to have been previously purchased; provided that no fireworks shall be sold to a permittee holding a permit issued for purposes of section 132D-3, Hawaii Revised Statutes, more than five calendar days before the applicable time period;
- (8) Incorporating the fireworks violations adjudication process into the existing traffic and emergency procedure violations adjudication process within the Hawaii Revised Statutes;
- (9) Deleting law enforcement officer from the definition of "inspector";



- (10) Clarifying that the counties are not prohibited from enacting ordinances pertaining to the issuance of fireworks permits that are more stringent than the restrictions found in the Hawaii Revised Statutes;
- (11) Making technical, nonsubstantive amendments for the purposes of clarity and consistency; and
- (12) Making the measure effective upon approval.

As affirmed by the records of votes of the members of your Committees on Public Safety and Military Affairs and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1483, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1483, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Public Safety and
Military Affairs and Judiciary,



KARL RHOADS, Chair



BRANDON J.C. ELEFANTE, Chair



Record of Votes
Committee on Public Safety and Military Affairs
PSM

*Only one measure per Record of Votes

**Record of Votes
Committee on Judiciary
JDC**

*Only one measure per Record of Votes