
A BILL FOR AN ACT

RELATING TO FIREWORKS.

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

1 SECTION 1. Chapter 132D, Hawaii Revised Statutes, is
2 amended by adding three new sections to be appropriately
3 designated and to read as follows:

4 "§132D- Labeling of display fireworks. (a) This
5 section shall apply to any display fireworks, articles
6 pyrotechnic, or aerial devices used for a display.

7 (b) Each shell, mine, comet, and multiple tube device,
8 such as finale or barrage boxes, roman candle batteries, or
9 cakes, shall bear a permanent label listing the licensee's name,
10 address, and contact information to include telephone number or
11 electronic mail address. The label shall also list the name and
12 business address of the manufacturer. The label shall be
13 approved by the state fire council and conform to the following
14 standards:

15 (1) Numerals and letters of the printed matter shall be
16 not less than one-eighth of an inch high;



- 1 (2) Required statements shall be printed in a color that
2 contrasts sharply with the background and shall be
3 printed within a borderline; and
- 4 (3) The label shall measure at least nine inches by nine
5 inches; provided that if the size of the shell, mine,
6 comet, or multiple tube device is too small to
7 correctly display a label of this size, the label may
8 be reduced to a size no smaller than necessary to
9 properly display the information described in this
10 section.

11 §132D- Display site inspection. Each county fire chief
12 is authorized to conduct inspections of the persons conducting a
13 display, including the site where the display is occurring or
14 will occur within the fire chief's county to determine
15 compliance with the applicable county code and the current
16 editions of the National Fire Protection Association's "NFPA
17 1123: Code for Fireworks Display" and "NFPA 1126: Standard for
18 the Use of Pyrotechnics Before a Proximate Audience." An
19 inspection fee of \$200 shall be assessed by the county upon the
20 holder of a permit for a display under section 132D-10(2), which
21 shall be separate from the display permit fee under that
22 section. The inspection fee shall be paid to the county in



1 which the display will occur, and shall be used to defray the
2 cost of the official conducting the inspection of the display
3 setup.

4 §132D- Display stop order. A county fire chief is
5 authorized to immediately revoke or suspend any permit issued
6 under section 132D-16 for display of display fireworks, articles
7 pyrotechnic, or aerial devices within the fire chief's county
8 for the following reasons:

- 9 (1) Adverse climatic or atmospheric conditions;
- 10 (2) The issuance of red flag warnings; or
- 11 (3) Any other conditions determined to make the display
12 potentially hazardous to persons or property."

13 SECTION 2. Section 132D-2, Hawaii Revised Statutes, is
14 amended by adding four new definitions to be appropriately
15 inserted and to read as follows:

16 "Movie" or "television production" means a series of
17 activities that are directly related to the creation of visual
18 and cinematic imagery to be delivered via film, videotape, or
19 digital media and are to be sold, distributed, or displayed as
20 entertainment or the advertisement of products for mass public
21 consumption, including scripting, casting, set design and



1 construction, transportation, videography, photography, sound
2 recording, interactive game design, and post production.

3 "Permanent" means the state of one object being affixed to
4 another object by glue or other means in a manner that the
5 affixed object is intended to not be easily removable.

6 "Red flag warning" means a weather forecast issued by the
7 National Weather Service indicating that weather conditions
8 associated with the outbreak of wildfire may occur.

9 "Shipper" means an entity or person, including a freight
10 forwarder, that is hired for the transport of aerial devices,
11 articles pyrotechnic, consumer fireworks, display fireworks, or
12 fireworks."

13 SECTION 3. Section 132D-4, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "§132D-4 Permissible uses of display fireworks, articles
16 pyrotechnic, and aerial devices. (a) Display fireworks,
17 articles pyrotechnic, and aerial devices may be purchased, set
18 off, ignited, or otherwise caused to explode in the State only
19 if for display and permitted in writing pursuant to sections
20 132D-10 and 132D-16.

21 (b) Display fireworks, articles pyrotechnic, and aerial
22 devices shall be set off, ignited, discharged, or otherwise



1 caused to explode within the State only from 9:00 a.m. to 9:00
2 p.m.; provided that the applicable county fire chief may extend
3 the time period for special events; provided further that the
4 time restriction established in this subsection shall not apply
5 to display fireworks, articles pyrotechnic, and aerial devices
6 set off, ignited, discharged, or otherwise caused to explode
7 within the State solely as part of a movie or television
8 production."

9 SECTION 4. Section 132D-8, Hawaii Revised Statutes, is
10 amended by amending subsection (a) to read as follows:

11 "(a) All licenses required under section 132D-7 shall be
12 issued by the county and shall be nontransferable. Licenses to
13 import shall specify the date of issuance or effect and the date
14 of expiration, which shall be March 31 of each year. The
15 application shall be made on a form setting forth the date upon
16 which the importations are to begin, the address of the location
17 of the importer, and the name of the proprietor or, if a
18 partnership, the name of the partnership and the names of all
19 partners or, if a corporation, the name of the corporation and
20 the names of its officers. The application for a license to
21 import display fireworks, articles pyrotechnic, or aerial
22 devices shall include written documentation of the proposed



1 display event and related contact information in a form
2 prescribed by the applicable county. If the state fire council
3 or county discovers at a later date that a licensee has been
4 convicted of a felony under this chapter, the licensee's license
5 shall be revoked and no new license shall be issued to the
6 licensee for two years."

7 SECTION 5. Section 132D-8.6, Hawaii Revised Statutes, is
8 amended by amending subsection (a) to read as follows:

9 "(a) Any person who has obtained a license under section
10 132D-7 and ships fireworks or articles pyrotechnic into the
11 State shall:

12 (1) Clearly designate the types of fireworks or articles
13 pyrotechnic in each shipment on the bill of lading or
14 shipping manifest with specificity;

15 (2) Declare on the bill of lading or shipping manifest the
16 gross weight of [~~aerial devices,~~] consumer fireworks,
17 display fireworks, [~~and~~] articles pyrotechnic, and
18 aerial devices to be imported in each shipment and the
19 location of the storage facility, if applicable, in
20 which the fireworks or articles pyrotechnic are to be
21 stored;



1 (3) Prior to shipment and when booking each shipment of
2 fireworks ~~[œ]~~, display fireworks, articles
3 pyrotechnic, or aerial devices notify the appropriate
4 county official as determined by the county regarding
5 whether the shipment will be distributed from:

6 (A) Pier to pier;

7 (B) Pier to warehouse or storage facility; or

8 (C) Pier to redistribution; ~~[and]~~

9 (4) Prior to booking the shipment, provide to the
10 applicable county fire chief:

11 (A) Written documentation regarding the proposed
12 display event or events and related contact
13 information to allow the fire chief to validate
14 the importation of a three-month or six-month
15 inventory under section 132D-8.5; and

16 (B) An inventory breakdown for each proposed display;
17 and

18 ~~[(4)]~~ (5) At the time shipping is booked, the importer or
19 consignee shall notify the appropriate county official
20 as determined by the county in writing of the expected
21 shipment's landing date."



1 SECTION 6. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 7. This Act shall take effect upon its approval.



Report Title:

Fire Protection; Fireworks; Inventory; Labeling; Importation;
Permit Revocation or Suspension

Description:

Amends provisions of the fireworks code, imposing new definitions and permitting, importation, labeling, and inspection requirements. Authorizes the fire chief to revoke or suspend permits for enumerated reasons. Exempts movie and film productions from the 9:00 a.m. to 9:00 p.m. time restriction.
(CD1)

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