

Honolulu, Hawaii

MAR 04 2011

RE: S.B. No. 173  
S.D. 2

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred  
S.B. No. 173, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FIRE PROTECTION,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit the  
retail sale and distribution of novelty lighters within the State.

Your Committee received testimony in support of this measure  
from the State Fire Council, the Honolulu Fire Department, and the  
County of Maui Department of Fire and Public Safety. Your  
Committee received testimony in opposition to this measure from  
one individual.

Your Committee finds that novelty lighters are lighters with  
features that are attractive to children, including visual  
effects, flashing lights, musical sounds, or toy-like designs.  
Novelty lighters specifically have been connected to numerous  
fires across the country. Due to their toy-like appearance,  
children have mistaken them for toys and have caused property  
damage, injury, or death. For example, in September 25, 2007, two  
toddlers from Russellville, Arkansas, died after setting fire to  
their apartment with a motorcycle-shaped lighter. Because some of  
these novelty lighters are indistinguishable from common  
children's toys, their appeal to children is obvious and  
dangerous.



According to the National Fire Protection Association, from 2004 to 2008, children playing with lighters or matches accounted for over fifty-seven thousand fires, one hundred thirteen civilian deaths, nine hundred sixteen injuries, and \$268,000,000 in property loss. Additionally, forty-seven percent of the individuals who started fires using lighters or matches and sixty-five percent of the resulting fatalities were children five years old or younger.

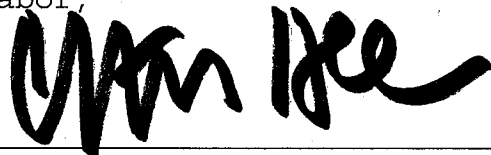
According to testimony submitted to your Committee, in the City and County of Honolulu, during the period between 2003 and 2010, forty-eight fires were started by children playing with lighters, resulting in two deaths, fifteen fire-related injuries, and property and content damage estimated at \$3,915,900.

Your Committee has amended this measure by:

- (1) Removing the exemption for novelty lighters made in this State; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 173, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 173, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Labor,



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CLAYTON HEE, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB173, SDI	PGM, JDL	2/23/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les				✓
SLOM, Sam			✓	
			<i>[Handwritten initials]</i>	
<b>TOTAL</b>	3	0	1	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>[Handwritten Signature]</i>				
<b>Distribution:</b>				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes