

STAND. COM. REP. NO. 1455

Honolulu, Hawaii  
MAR 25 , 2021

RE: S.B. No. 513  
S.D. 1  
H.D. 2

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 513, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF LAWS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish an expeditious adjudication system for processing fireworks infractions, similar to the system for processing traffic infractions;
- (2) Implement the recommendations of the 2010 Illegal Fireworks Task Force by:
  - (A) Raising the fireworks display permit fee from \$110 to \$150;
  - (B) Clarifying that each aerial device, display firework, or article pyrotechnic having a total weight of twenty-five pounds or less that is illegally imported, transferred, or sold constitutes a separate violation;

- (C) Increasing the penalty for removing or extracting the pyrotechnic contents from any fireworks or articles pyrotechnic for certain uses; and
  - (D) Increasing the fine for certain fireworks violations from no more than \$2,000 per violation to no more than \$5,000 per violation;
- (3) Authorize the Sheriff Division of the Department of Public Safety to enforce the Fireworks Control Law;
  - (4) Require the Attorney General to establish an Explosion Detection Technology Working Group; and
  - (5) Require the Department of Public Safety to develop and implement a web-based reporting tool for illegal fireworks that will provide the counties with additional data to enforce the applicable fireworks laws.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Maui Fire Department, Hawaiian Humane Society, and one individual. Your Committee received comments on this measure from the Judiciary and Department of Public Safety.

Your Committee finds that fireworks violations continue to impact communities and endanger the public. As such, your Committee finds that greater enforcement of Hawaii's fireworks laws is necessary to protect property from avoidable fire damage; protect persons from fire and explosion-related injuries; minimize respiratory distress caused by the air pollution; and avoid retraumatizing persons who may be adversely impacted by loud explosions.

Your Committee has amended this measure by:

- (1) Amending the penalties for fireworks infractions to:
  - (A) Clarify that the fines apply to violations of provisions that are not specifically provided for under the Fireworks Control Law as felonies or misdemeanors;



- (B) Impose a fine of \$5,000 for each violation of provisions that are not specifically provided for under the Fireworks Control Law; and
  - (C) Impose a fine of \$500, or \$2,000 for multiple violations, for homeowners, renters, or persons otherwise responsible for real property who allow an individual to possess, set off, ignite, or otherwise cause to explode any aerial device while on the real property; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 513, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 513, S.D. 1, H.D. 2.


Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: SB 513, SDI, HDI		Committee Referral: CPC, JHA, FIN		Date: 3-23-21
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.			✓	
5. LoPRESTI, Matthew S.	✓			
6. LOWEN, Nicole E.	✓			
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.	✓			
9. TAKUMI, Roy M.				✓
10. TODD, Chris	✓			
11. TOKIOKA, James Kunane	✓			
12. WARD, Gene	✓			
TOTAL (12)	10	0	1	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				