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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 the transportation  
2 of fireworks to, from, and within the State of Hawaii requires  
3 the use of multiple modes or methods of transport, including  
4 interstate trucking or rail, interstate maritime transportation,  
5 intrastate maritime transportation, and intrastate trucking.  
6 The legislature also finds that, given the diversity of  
7 transportation processes and modes, it is essential, and in the  
8 best interest of the health and safety of the community and the  
9 State's first responders, that there should be thorough  
10 accounting and reporting on the importation of fireworks  
11 shipments.

12           The legislature acknowledges that the current statute  
13 regulating importation of fireworks establishes requirements for  
14 licensed individuals or entities in accordance with section  
15 132D-8.6, Hawaii Revised Statutes. However, to ensure a more  
16 comprehensive tracking of all shipments of fireworks imported  
17 into the State, additional requirements of those persons or  
18 entities defined as "shipper" are necessary. The requirements



1 for shipper were inadvertently omitted when the definition was  
2 added in a previous legislative session.

3 The purpose of this Act is to clarify the current fireworks  
4 importation statute by:

5 (1) Adding a new section to delineate the responsibilities  
6 of those persons or entities defined as a "shipper";

7 (2) Allowing fireworks to be used in movie or television  
8 productions and by those authorized to destroy or test  
9 fireworks; and

10 (3) Making amendments regarding the dimensions of required  
11 labels on display fireworks articles pyrotechnic, and  
12 aerial devices.

13 SECTION 2. Chapter 132D, Hawaii Revised Statutes, is  
14 amended by adding a new section to be appropriately designated  
15 and to read as follows:

16 "§132D- Requirements of shipper. (a) Any shipper that  
17 receives fireworks that are imported into the State or  
18 transported between the counties shall notify the county fire  
19 chief of the county to which the shipment is destined, prior to  
20 shipment, whether the shipment will be distributed from:

21 (1) Pier to pier;



1       (2) Pier to warehouse or storage facility; or

2       (3) Pier to redistribution."

3       SECTION 3. Section 132D-6, Hawaii Revised Statutes, is  
4 amended to read as follows:

5       "[+]§132D-6[+] **Exceptions.** The prohibitions in section  
6 132D-5 do not apply to:

7       (1) The use of flares, noisemakers, or signals for  
8 warning, pest control, or illumination purposes by  
9 police and fire departments, utility companies,  
10 transportation agencies, and other governmental or  
11 private agencies or persons, including agricultural  
12 operations, in connection with emergencies, their  
13 duties, or business; [~~and~~]

14       (2) The sale or use of blank cartridges for a show or  
15 theater, or for signal, commercial, or institutional  
16 purposes in athletics or sports[~~-~~];

17       (3) The purchase and use of consumer fireworks, aerial  
18 devices, display fireworks, or articles pyrotechnic in  
19 a movie or television production with a valid permit  
20 issued by a county fire department under section 132D-  
21 10; and



1       (4) The testing, disposal, or destruction of illegal or  
2       unwanted fireworks by the licensee."

3       SECTION 4. Section 132D-16.5, Hawaii Revised Statutes, is  
4 amended by amending subsection (b) to read as follows:

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

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

15       (2) Required statements shall be printed in a color that  
16 contrasts sharply with the background and shall be  
17 printed within a borderline; and

18       (3) The label shall measure at least [~~nine inches by~~] nine  
19 square inches; provided that if the size of the shell,  
20 mine, comet, or multiple tube device is too small to  
21 correctly display a label of this size, the label may



1           be reduced to a size no smaller than necessary to  
2           properly display the information described in this  
3           section."

4           SECTION 5. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6           SECTION 6. This Act shall take effect upon its approval.

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**Report Title:**

Fireworks; Shippers; Prohibitions

**Description:**

Expands exceptions to the general prohibitions on fireworks.  
Imposes requirements upon shippers of fireworks. Amends certain  
fireworks labeling requirements. (SD1)

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

