

STAND. COM. REP. NO. 2891

Honolulu, Hawaii

MAR 04 2022

RE: S.B. No. 3343
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 3343, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FIREWORKS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require importers of fireworks to obtain a license from the Harbors Division of the Department of Transportation or applicable county; and
- (2) Require annual reports to the Legislature.

Your Committee received testimony in support of this measure from the Hawaiian Humane Society and one individual. Your Committee received testimony in opposition to this measure from the Department of Transportation and one individual. Your Committee received comments on this measure from the State Fire Council, Honolulu Fire Department, and one individual.

Your Committee finds that the use of illegal fireworks in the State remains a concern for many communities. This measure would increase enforcement efforts to reduce the flow of illegal fireworks into the State by requiring certain importers to obtain a license from the Harbors Division of the Department of Transportation, rather than the applicable county.



Your Committee notes the concerns raised in testimony that this measure may create an additional and unnecessary administrative layer that would make it more difficult for those who are currently following the laws and legally importing fireworks. Additionally, redirecting license fees from the counties to the Department of Transportation may have a negative consequence on existing fireworks control programs implemented by the county fire departments to support inspections, inventory checks of storage facilities, training for county auditors, and other education and enforcement efforts. Amendments to this measure are therefore necessary to address these concerns.

Your Committee has amended this measure by:

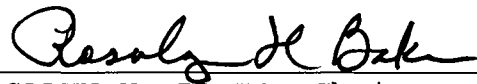
- (1) Clarifying that the appropriate county fire departments shall be authorized to issue licenses under chapter 132D, Hawaii Revised Statutes, rather than the Harbors Division of the Department of Transportation;
- (2) Reverting to existing statutory language for sections 132D-7, 132D-8, and 132D-8.6, Hawaii Revised Statutes, to clarify that the counties, rather than the Harbors Division of the Department of Transportation, shall have certain duties regarding licenses to import fireworks;
- (3) Inserting language to require the counties to share certain information regarding licensed importers of fireworks with the Harbors Division of the Department of Transportation;
- (4) Inserting language requiring each county fire department to submit a report of its enforcement activities concerning fireworks, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023; and
- (5) 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 Commerce and Consumer Protection that is attached to



this report, your Committee is in accord with the intent and purpose of S.B. No. 3343, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3343, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,



ROSALYN H. BAKER, Chair



