

STAND. COM. REP. NO. 1266

Honolulu, Hawaii

**MAR 21 2025**

RE: H.B. No. 550  
H.D. 2  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Sir:

Your Committees on Public Safety and Military Affairs and  
Judiciary, to which was referred H.B. No. 550, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO FIREWORKS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Allow recordings made by law enforcement agencies who are using, controlling, or operating unmanned aerial vehicles to establish probable cause for arrests under the Fireworks Control Law if the unmanned aerial vehicle is recording directly above public property and the act leading to the arrest is committed on public property; and
- (2) Appropriate funds to the Department of Law Enforcement for the purchase of unmanned aerial vehicles to monitor the use of illegal fireworks.

Your Committees received testimony in support of this measure from the Department of Law Enforcement, Hawaii State Fire Council, Honolulu Police Department, Hawaii County Police Department, Honolulu Fire Department, Hawaiian Humane Society, and ten individuals.



Your Committees received testimony in opposition to this measure from the Office of the Public Defender, Young Americans for Liberty, Libertarian Party of Hawaii, and two individuals.

Your Committees find that illegal fireworks continue to pose a serious threat to public safety in the State and that additional strategies are necessary to enhance the Department of Law Enforcement's ability to enforce fireworks regulations, particularly during peak times such as New Year's Eve and the Fourth of July when violation reports traditionally surge. This measure seeks to establish an additional law enforcement strategy by amending the section of the Hawaii Revised Statutes pertaining to enforcement and probable cause for arrest for violations of fireworks prohibitions to clarify that video recordings by unmanned law enforcement drones shall establish probable cause under certain circumstances.

However, your Committees note the concerns raised in the testimony provided at the public hearing on this measure regarding the constitutionality and legality of the language pertaining to probable cause. Your Committees further note that it is the duty of the court to determine whether probable cause to arrest exists and that the statutory language pertaining to the establishment of probable cause in this measure should therefore be permissive instead of mandatory. Your Committees also note that the Department of Law Enforcement does not require additional funding in the budget.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying that video recordings or other recordings made by a law enforcement agency using, controlling, or operating an unmanned aerial vehicle may be used to establish probable cause for an arrest pursuant to chapter 803, Hawaii Revised Statutes, if certain conditions are met;
- (2) Deleting language that would have appropriated funds to the Department of Law Enforcement; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.



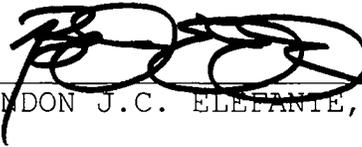
As affirmed by the records of votes of the members of your Committees on Public Safety and Military Affairs and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 550, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 550, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Public Safety and Military Affairs and Judiciary,



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KARL RHOADS, Chair



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BRANDON J.C. ELEFANTE, Chair





The Senate  
 Thirty-Third Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:* <b>HB 550, HD2</b>	Committee Referral: <b>PSM/JDC, WAM</b>	Date: <b>3/13/25</b>		
<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
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton			✓	
<b>TOTAL</b>	<b>4</b>	<b>—</b>	<b>1</b>	<b>—</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:             Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

\*Only one measure per Record of Votes