

**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:

H.B. NO. 1483, H.D. 1, S.D. 1, RELATING TO FIREWORKS.

BEFORE THE:

SENATE COMMITTEE ON WAYS AND MEANS

DATE: Friday, April 4, 2025

TIME: 10:46 a.m.

LOCATION: State Capitol, Room 211

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**

(For more information, contact Tricia M. Nakamatsu,
Deputy Attorney General, at 808-586-1500)

Chair Dela Cruz and Members of the Committee:

The Department of the Attorney General (Department) strongly supports this bill. The Department also recommends amendments at the end of this testimony.

The purpose of this bill is to facilitate more effective enforcement of Hawaii's fireworks control laws, by: (1) amending definitions for fireworks offenses to reflect more common-sense standards; (2) strengthening and clarifying existing criminal fireworks offenses; (3) establishing new fireworks offenses; (4) establishing heightened penalties for repeat offenders and fireworks offenses that result in substantial or serious bodily injury or death; and (5) establishing non-criminal fireworks infractions for the lowest-level offenses.

Criminal statutes serve as a deterrent to illegal activity when they are effectively enforced and prosecuted. For many years, however, Hawaii's laws regarding illicit fireworks have made it difficult for state and county agencies to enforce or prosecute these types of cases. When asked, prosecutors have repeatedly cited challenges posed by "gathering evidence and meeting the high burden of proof necessary for convictions",¹ as well as "stringent definitions [in statute, that] . . . routinely create

¹ See Legislative Reference Bureau of Hawaii, *Blast From the Past: An Update to the Report of the Illegal Fireworks Task Force to the Legislature for the Regular Session of 2011* at 13, 14 (December 2019) https://lrb.hawaii.gov/wp-content/uploads/2019_BlastFromThePast.pdf (last visited January 20, 2025).

roadblocks to effective prosecution."² Thus, only a small number of criminal fireworks cases have been initiated by law enforcement, and an even smaller number have been prosecuted, resulting in a largely "ineffective deterrent" to the distribution and use of illicit fireworks.

This bill addresses concerns raised by prosecutors and provides clarity and efficiency for law enforcement, prosecutors, and courts that handle these cases.

DEFINITIONS

This bill's proposed amendments to definitions for "aerial device," "consumer fireworks," and "fireworks," under section 132D-2, Hawaii Revised Statutes (HRS) (page 16, line 4, to page 18, line 15, and page 19, line 12, to page 20, line 8), present a straightforward, common-sense standard that could arguably be established through laypeople's observations and testimony, in many cases, without requiring the presentation of any physical evidence or expert witnesses.

Currently, proving beyond a reasonable doubt that an item meets the definition of an "aerial device," "consumer fireworks," or "fireworks," under section 132D-2, HRS, can be difficult, and may require expert testimony regarding the aeronautical design of the item, pyrotechnic design of the item, and comparison to federal definitions. Fireworks cases may also be difficult to prove when the illicit fireworks have already exploded and are unrecoverable. The proposed definition of aerial fireworks takes into account that virtually every adult in Hawaii already "knows" what aerial fireworks are and could positively identify one rising up into the sky, based on their own observations, without the assistance of forensic testing or expert witnesses.

STRENGTHENING AND CLARIFYING EXISTING CRIMINAL OFFENSES

This bill amends existing criminal fireworks offenses to include wording and standards that are more amenable to prosecution, and penalties that are more proportionate to the prohibited acts.

Currently, section 132D-5, HRS, groups a number of very dangerous acts, such as throwing ignited fireworks from or into a vehicle, together with much less serious acts, such as setting off consumer fireworks with a permit but outside of the permitted

² *Id.*, at 14.

times, and classifies all of these offenses as a violation, with no possible jail time and only a potential fine of up to \$5,000. This bill separates out the various acts based on the level of dangerousness and place them under standalone offenses (i.e., "Consumer fireworks prohibitions" on page 10, line 16, to page 12, line 11; "Removal or extraction of pyrotechnic contents; prohibited" on page 10, lines 11-15; "General fireworks or articles pyrotechnic prohibitions in the second degree" on page 4, line 8, to page 7, line 11; and "General fireworks or articles pyrotechnic prohibitions in the first degree" on page 21, line 12, to page 24, line 7). Penalties for these standalone offenses range from an infraction carrying only a \$200 fine, to class C felonies facing up to a \$10,000 fine and/or up to five years imprisonment.

To support effective prosecution, two of the standalone offenses proposed provide strict liability for certain elements of the offense. These include strict liability for: (1) an offender's distance from sensitive areas, such as a hospital, when setting off an aerial device, display fireworks, or articles pyrotechnic, in violation of "General fireworks or articles pyrotechnic prohibitions in the second degree" (page 4, line 8 to page 7, line 11); and (2) an offender's knowledge of the date or time, when buying consumer fireworks outside of the permitted dates or times, in violation of "Consumer fireworks prohibitions" (page 11, line 16, to page 12, line 11). Requiring prosecutors to prove an offender was aware of such a distance, or aware of the date and time, when committing these types of offenses, seems unreasonable and may provide an easy way for offenders to avoid prosecution. The Department believes it is reasonable to hold people to a certain level of responsibility if they choose to participate in these types of activities.

ESTABLISHING NEW OFFENSES

Given heightened concerns over illicit fireworks or articles pyrotechnic being transported in airplanes, this bill establishes such activity as a new standalone offense, as a class C felony ("Sending or receiving fireworks or articles pyrotechnic by air delivery; prohibited," on page 7, line 12 to page 8, line 18).

Also, given the creation of fireworks infractions, discussed further below, a new standalone offense for "Refusal to provide identification" is established on page 12, line 12, to page 13, line 4, based on similar wording found in section 291C-172, HRS. It provides law enforcement and courts with some level of assurance that offenders who

are issued fireworks infractions provide their actual name and mailing address for the citation. This information is necessary for courts to process the citations, particularly if the person fails to respond to the citation (i.e., pay the fine, write to the court, or request a hearing).

As mentioned above, section 132D-5, HRS, "General fireworks or articles pyrotechnic prohibitions in the first degree," currently prohibits "throw[ing], catapult[ing], or otherwise manually propel[ling] any ignited consumer fireworks, aerial devices, display fireworks, or articles pyrotechnic" under certain circumstances, and that prohibition remains under section 132D-5, HRS, in this bill (page 21, line 12, to page 24, line 7). To ensure that throwing, catapulting, or otherwise manually propelling ignited fireworks or articles pyrotechnic is prohibited, this bill establishes these acts as an additional offense under section 132D-A(a)(2), HRS, "General fireworks or articles pyrotechnic prohibitions in the second degree" (page 5, lines 13-15). Finally, additional reporting requirements are established for any carrier or person shipping controlled fireworks or articles pyrotechnic into Hawaii, or interisland, on page 13, line 5, to page 14, line 15.

ESTABLISHING HEIGHTENED PENALTIES UNDER CERTAIN CIRCUMSTANCES

In addition to the usual penalty for any given offense, certain offenses³ could be subject to enhanced penalties if the offender was previously convicted of a crime under chapter 132D, HRS, within ten years prior to the new offense, or if any of the illicit fireworks or articles pyrotechnic causes substantial bodily injury, serious bodily injury, or death to another person. Whatever the usual level of offense, this enhanced penalty could increase the level of offense by one or two grades. The offense of distributing aerial devices without a permit would normally be a class C felony (i.e., up to five years imprisonment and/or up to a \$10,000 fine), but it becomes a class B felony (i.e., up to

³ "General fireworks or articles pyrotechnic prohibitions in the second degree" on page 4, line 8, to page 7, line 11; "Distributing fireworks and articles pyrotechnic to non-permit holder" on page 8, line 19, to page 10, line 10; "General fireworks or articles pyrotechnic prohibitions in the first degree" on page 21, line 12, to page 24, line 7; "Liability of parents or guardians" on page 31, line 19, to page 33, line 17; all offenses covered by section 132D-14, on page 33, line 20, to page 40, line 11; and "Liability of homeowner, renter, or person otherwise responsible for real property" on page 40, line 14, to page 43, line 6.

ten years imprisonment and/or up to a \$25,000 fine) if the offender had a prior fireworks-related conviction in the past ten years, or if the illicit fireworks caused substantial bodily injury to anyone; and it becomes a class A felony (i.e., up to twenty years imprisonment and/or up to a \$50,000 fine) if the illicit fireworks caused serious bodily injury or death.

For nearly all of these enhanced penalties, the offender would be held strictly liable with respect to any knowledge that the illicit fireworks would cause such injuries or death. In other words, it would not be a defense to prosecution if offenders claim they had no reason to know the illicit fireworks would cause such injuries or death. For "General fireworks or articles pyrotechnic prohibitions in the first degree" on page 21, line 12, to page 24, line 7, offenders would be held to a negligent state of mind for this type of enhanced sentencing, meaning prosecutors would only have to show that offenders should have been aware that there was a substantial and unjustifiable risk their actions could cause injuries or death.

Aside from the offenses noted above, other offenses⁴ could be subject to enhanced penalties if the offender was convicted of a crime under chapter 132D, HRS, within ten years prior to the new offense, or if the illicit fireworks or articles pyrotechnic were over a certain weight.

The level of offense charged for purchasing, possessing, setting off, igniting, or discharging controlled fireworks or articles pyrotechnic without a permit would be based on weight, as shown on page 34, line 12, to page 35, line 20, with fifty pounds or more of illicit fireworks being a class B felony. Enhanced sentencing for repeat offenders, or causing substantial or serious bodily injury or death, would also apply.

ESTABLISHING NON-CRIMINAL FIREWORKS INFRACTIONS

While much of the bill addresses high-level offenses, such as importing or distributing large amounts of illicit fireworks, or incidents that result in serious injury or death, the bill also establishes penalties for fireworks infractions in section 132D-

⁴ "Sending or receiving fireworks or articles pyrotechnic by air delivery; prohibited" on page 7, line 12, to page 8, line 18; and "Importing, storing, or distributing controlled fireworks or articles pyrotechnic without a license" on page 33, line 20, to page 40, line 11; and "Liability of homeowner, renter, or person otherwise responsible for real property" on page 40, line 14, to page 43, line 6.

14(a)(2)(D), HRS, on page 35, lines 16-20, with non-criminal penalties for purchasing, possessing, or setting off small amounts of illicit aerial devices, display fireworks, or articles pyrotechnic. While it may seem counterintuitive to eliminate jail as a penalty for these types of offenses, the Department believes this would allow law enforcement agencies and courts to hold a much higher number of individuals accountable for their use of illicit fireworks quickly and safely and thus make more efficient use of limited resources at certain critical times of the year.

Similar to the way non-criminal traffic citations are issued now, a law enforcement officer could issue multiple fireworks citations without having to spend additional time interviewing witnesses, collecting evidence, or writing police reports, all of which may be necessary when trying to build a criminal case. Due to the lower standard of proof for fireworks infractions, these citations could be issued very quickly and easily, without requiring any further investigation, and then the officer could move on to continue patrolling the community or addressing other calls.

Once a fireworks citation is issued, the recipient may then pay the fine, mail-in an explanation to the court, or request a live hearing before a judge, similar to a traffic infraction. In this version of the bill, the notices of infraction and the adjudications process would be controlled by chapter 291D, HRS, with various sections of chapter 291D amended in bill sections 18 to 29, to include fireworks infractions, on page 48, line 11, to page 83, line 10. The bill establishes a \$300 fine for purchasing, possessing, or setting off less than five pounds of illicit aerial devices, display fireworks, or articles pyrotechnic (or if the weight is undeterminable, possibly because it exploded), in section 132D-14(a)(2)(D) on page 35, lines 16-20.

Consumer fireworks prohibitions are also designated as infractions, in new section 132D-E on page 10, line 16, to page 12, line 11, as are violations of the new section 132D-G (Requirements of Carrier) on page 13, line 5, to page 14, line 15.

SUGGESTED AMENDMENTS

The Department recommends adding a new chapter to Title 38 of the HRS, to address the notices of infraction and adjudications process for all fireworks infractions, as done in prior versions of this bill (see section 2 of H.B. No. 1483, or H.B. No. 1483, H.D. 1). These types of infractions—and any non-traffic-related infractions that the

Legislature may choose to establish in the future—are not appropriately placed under Title 17 of the HRS, entitled, "Motor and Other Vehicles." All chapters under Title 17, HRS, pertain to motor vehicles or other types of vehicles.

While we are unaware of any statute or rule that prohibits placement of statutes (or portions of statutes) under a title of the HRS unrelated to that title's subject matter; the Hawaii Legislative Drafting Manual (2022) (Drafting Manual) notes that, "[t]he **Hawaii Revised Statutes is organized by broad subject matter areas** into a series of chapters [and] . . . groups of sections within a chapter may be organized into a "part" . . . " (page 35, Drafting Manual, emphasis added).⁵ Also, on page 132, the Drafting Manual states, "laws considered to be of a general and permanent nature are **organized by general subject area** and codified as the Hawaii Revised Statutes" (emphasis added). Placing related chapters and statutes within the titles of the HRS that pertain to the subject matter, is a logical organizational structure that is easier for practitioners and the public to understand.

If the Legislature still chooses to add fireworks infractions to chapter 291D, HRS, the Department recommends the following amendments:

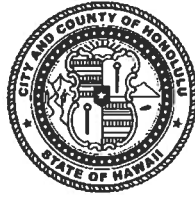
- Amend page 14, line 13, to fill in the blank and reference "chapter 291D."
- Amend the definition of "fireworks infraction" to account for petty misdemeanors and violations, on page 51, line 20, as follows (underscoring removed from new material in bill, to Ramseyer additional changes): " . . . that is not explicitly classified as a felony [or], misdemeanor, petty misdemeanor, or violation," This will ensure the penalties described under section 132D-14.5(a)(1), "Liability of homeowner, renter, or person otherwise responsible for real property" (page 40, line 14, to page 41, line 5), and section 132D-14(e) (page 38, lines 1-7), cannot be classified as fireworks infractions.

The Department respectfully requests the passage of this important bill with the recommended amendment. Thank you for the opportunity to testify on this bill.

⁵ Available online at https://lrb.hawaii.gov/wp-content/uploads/2022_HawaiiLegislativeDraftingManual.pdf; last accessed April 2, 2025.

HONOLULU POLICE DEPARTMENT
KA 'OIHANA MĀKA'I O HONOLULU
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96813
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OUR REFERENCE RP-PA

April 4, 2025

The Honorable Donovan M. Dela Cruz, Chair
and Members
Committee on Ways and Means
State Senate
415 South Beretania Street, Room 211
Honolulu, Hawai'i 96813

Dear Chair Dela Cruz and Members:

SUBJECT: House Bill No. 1483, H.D. 1, S.D. 1, Relating to Fireworks

I am Major Randall Platt of District 4 (Kailua/Kāne'ohe/Kahuku) of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 1483, H.D. 1, S.D. 1, Relating to Fireworks.

The HPD supports this bill which seeks to clarify the definitions of fireworks and improve enforcement.

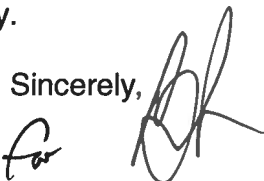
The HPD also believes that better enforcement of the fireworks control laws is essential not only to safeguard property from preventable fire damage but also to protect the community from injuries related to fires and explosions, respiratory issues caused by air pollution, and ongoing trauma experienced by individuals due to loud explosions.

The HPD urges you to support House Bill No. 1483, H.D. 1, S.D. 1, Relating to Fireworks.

Thank you for the opportunity to testify.

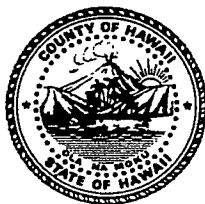
APPROVED:


Arthur J. Logan
Chief of Police

Sincerely,


Randall Platt, Major
District 4

C. Kimo Alameda, Ph.D.
Mayor



Benjamin T. Moszkowicz
Police Chief

William V. Brilhante Jr.
Managing Director

Reed K. Mahuna
Deputy Police Chief

County of Hawai`i

POLICE DEPARTMENT

349 Kapi`olani Street • Hilo, Hawai`i 96720-3998
(808) 935-3311 • Fax (808) 961-2389

April 3, 2025

Senator Donovan M. Dela Cruz, Chair
Senator Sharon Y. Moriwaki, Vice Chair
And Members
Committee on Ways and Means
State Capitol
415 South Beretania Street
Honolulu, HI 96813

Dear Senators Dela Cruz and Moriwaki,

RE: HOUSE BILL 1483, HD1, SD1 RELATING TO FIREWORKS
DATE: APRIL 4, 2025
TIME: 10:46 A.M.
PLACE: CONFERENCE ROOM 211 & VIDEOCONFERENCE

The Hawaii County Police Department (HPD) respectfully submits testimony in **support** of House Bill No. 1483 HD1, SD1 Relating to Fireworks.

Strengthening laws that aim to curb the use of unpermitted, illegal fireworks is critical to protecting public safety. This Bill would establish an adjudication system and procedures to process fireworks infractions and amend definitions and penalties for fireworks offenses, including heightened penalties if another person suffers substantial or serious bodily injury or death as a result of the fireworks offenses. HPD is also grateful to see that the Bill includes monetary appropriation, in amounts yet to be determined, to carry out the purposes of the Bill.

HPD urges the committees to **support** House Bill 1483, HD1, SD1.

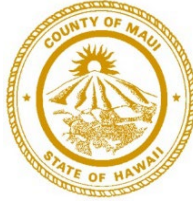
Respectfully,

SHERRY D. BIRD
ACTING POLICE CHIEF

RICHARD T. BISSEN, JR.
Mayor

ANDREW H. MARTIN
Prosecuting Attorney

SHELLY C. MIYASHIRO
First Deputy Prosecuting Attorney



DEPARTMENT OF THE PROSECUTING ATTORNEY
COUNTY OF MAUI
200 SOUTH HIGH STREET
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LATE

TESTIMONY ON
H.B. 1483 HD1 SD1
RELATING TO FIREWORKS

April 3, 2025

The Honorable Donovan M. Dela Cruz
Chair
The Honorable Sharon Y. Moriwaki
Vice Chair
and Members of the Committee on Ways and Means

Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committees:

The Department of the Prosecuting Attorney, County of Maui respectfully submits the following comments **in support of H.B. 1483 HD1 SD1, Relating to Fireworks**. This bill amends multiple definitions and penalties for fireworks offenses, as well as creates a fireworks infraction adjudication system and new fireworks offenses.

The Department of the Prosecuting Attorney, County of Maui supports this bill because it would help protect our community from the yearly effects of illegal fireworks, such as fire- and explosion-related property damage and injuries, respiratory distress stemming from fireworks smoke and annual trauma to humans and animals stemming from loud fireworks explosions. We would note that videos depicting staggering amounts of illegal fireworks being set off every New Year's Eve are readily viewable online and illustrate the inadequacy of our current laws. In our view, H.B. 1483 HD1 SD1's increased penalties and proposed fireworks infraction adjudication process would go a long way to deterring the sale, purchase and use of illegal fireworks, as well as ensuring that people who willfully disobey the law are held accountable to an appropriate degree for their actions.

For these reasons, the Department of the Prosecuting Attorney, County of Maui **supports H.B. 1483 HD1 SD1**. Please feel free to contact our office at (808) 270-7777 if you have any questions or inquiries. Thank you very much for the opportunity to provide testimony on this bill. this bill.

Hawaii Explosives & Pyrotechnics, Inc.

P.O. Box 1244
Keaau, HI 96749-1244
hepinc@hipyro.com
(808) 968-0600



April 2, 2025

Senator Donvan Dela Cruz, Chair
Committee on Ways and Means
Hawaii State Senate
State Capitol, Conference Room 211
Honolulu, HI 96813

Re: House Bill 1483 HD1 SD1, Relating to Fireworks

Dear Chair Dela Cruz and members of the committee,

As a licensed professional fireworks display company, we are in support of legislation that seeks to improve enforcement of fireworks control laws and protects the community from the unpermitted and inappropriate use of fireworks designed for professional use within the community. We are pleased that the Attorney General's Office and committee members have been receptive to our concerns with the bill and are willing to make amendments that ensure the statute doesn't adversely affect permitted commercial displays. However, there are still sections of the proposed legislation that are problematic for licensed display production companies.

In section 2 of the bill, on pages 7, line 12 through page 8, line 13, HB 1483 adds section 132D-B, "Sending or receiving fireworks or articles pyrotechnic by air delivery; prohibited." Pyrotechnics that are classified under the USDOT 49 CFR as Articles Pyrotechnic, UN0431 and UN0432 can be shipped via air as long as they are properly packaged, labeled and declared on the shipping papers. Indeed, most theatrical pyrotechnic effects used for concerts, plays, sporting events, movie and television productions, and similar performances throughout the United States are shipped via air transport. Prohibiting the importation of small, production-sized quantities for these productions via regulated air transport would actually lead to the need to stockpile large quantities of devices to serve the needs of these productions. Since the transportation of hazardous materials is already regulated by the USDOT, and substantial penalties are imposed for the improper declaration or packaging of these items, our suggestion would be to eliminate 132D-B from the bill as it is redundant, and the requirement is already established in 132D-8.6.

On pages 38, line 17 through page 40, line 6, HB 1483 adds section 132D-G, "Requirements of Carrier." This section adds requirements for the carrier to notify the "appropriate county official and designated state law enforcement agencies" when shipping pyrotechnic devices. It is our opinion that it should be the responsibility of the shipper to send notification to the relevant State authorities as they are the entity tasked with initiating the transport. In cases where the shipper is an entity who resides outside the State of Hawaii, and jurisdiction is limited, the responsibility should fall to the recipient and/or consignee to carry out notification. As stated earlier, it is the responsibility of the Shipper under federal law to properly package, label and document any shipment of hazardous material, It is the responsibility of the Carrier to reject any

hazardous material that is not properly packaged, labeled and documented. Since, in our opinion, most of the illicit fireworks found on the street are arriving into the State undeclared, this section does little to address the problem. It is our suggestion that section 132-G be eliminated.

In section 9 of the bill, pages 30, line 11 through page 31, line 4, item (b) adds "Each person may purchase a maximum of fifty permits per year..." As the leading display production company in the state, our firm produces over 100 licensed displays per year. Enacting a limit on the number of permits we could legally receive would be seriously detrimental to our business. We respectfully suggest the limit on permits be limited to firecracker permits.

Thank you for your careful consideration of these amendments. As a duly licensed, commercial fireworks display company we are supportive of measures that promote the safe use of fireworks designed for professionals by properly trained personnel under a comprehensive permit process, and the use of fireworks by consumers in a safe and responsible manner. We are always happy to answer any questions you may have related to this issue.

Sincerely,

Hawaii Explosives & Pyrotechnics, Inc.
(808)968-0600
hepinc@hipyro.com



Hawaiian Humane Society

People for animals. Animals for people.

Date: April 2, 2025

To: Chair Sen. Donovan M. Dela Cruz
Vice Chair Sen. Sharon Y. Moriwaki,
and Members of the Committee on Ways and Means

Submitted By: Stephanie Kendrick, Director of Community Engagement
Hawaiian Humane Society, 808-356-2217

RE: Testimony in support of HB 1483, HD1, SD1: Relating to Fireworks
Friday, April 4, 2025, 10:46 a.m., Room 211 & Videoconference

On behalf of the Hawaiian Humane Society, thank you for considering our support for House Bill 1483, HD1, SD1, which establishes an adjudication system and procedures to process fireworks infractions; amends multiple definitions and penalties for fireworks offenses, including heightened penalties if another person suffers substantial bodily injury, serious bodily injury, or death as a result of the fireworks offenses; establishes various criminal offenses and penalties related to fireworks or articles pyrotechnics; and appropriates funds.

Hawaiian Humane supports any attempt to restrict fireworks from residential neighborhoods. Despite tragic deaths and injuries spanning many years - and reaching a new level of horror on O'ahu this year - the crime of using illegal fireworks is rarely punished. This comprehensive measure aims to increase enforcement against fireworks infractions by creating a new system of adjudication and new penalties to address the current failures of our legal system.

These bombs increasingly go off without regard to date and terrorize pets and people alike. The unpredictable barrage makes it impossible to prepare and creates sustained stress, which can do lasting damage to emotional, mental and physical health.

Please pass HB1483, HD1, SD1, and hold the perpetrators of these crimes accountable. Mahalo for your consideration.

HB-1483-SD-1

Submitted on: 4/2/2025 9:21:57 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Support	Written Testimony Only

Comments:

Hopefully, this will be another efficient tool in the toolbox to punish those who commit fireworks infractions. Enough is enough already, with people and pets killed, injured, houses burned, and emergency responders overtaxed. It is time to stop talking and start acting. The excuse that fireworks are cultural does not cut it any longer. The harm greatly outweighs culture. All fireworks should be provided by licensed organizations.

HB-1483-SD-1

Submitted on: 4/3/2025 3:10:54 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this important bill. Mahalo.

LATE

HB-1483-SD-1

Submitted on: 4/3/2025 3:49:39 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Beverly Heiser	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Committee Members,

I STRONGLY SUPPORT HB 1483, HD1, SD1.

There are so many who believe that change will not happen, even after the Aliamanu incident. The lack of passing enforceable laws year after year have created this belief, that I hope does not hold true this year. Minor fireworks incidents are not always reported to show the danger of illegal fireworks. This past New Year's Eve, a vlog posted by a student who moved to Laie to attend college, got hit by a firework nearly missing his eye. If it had hit about a quarter inch closer, he could have been blind. He was just walking in the streets taking video of the fireworks. He ended up in the Kahuku emergency room for treatment. To see the vlog and his comments, search "Tyson's Wilderness, New Year's in Hawai'i Gone Wrong".

After a slight decrease in illegal fireworks in 2023, thanks to the Illegal Fireworks Task Force making several large seizures at the docks, there was a significant increase in 2024. Bills pending this year that would establish a Fireworks Enforcement Division or increase personnel and provide what the Illegal Fireworks Task Force needs should address the problem if passed.

The Task Force has been doing an excellent job, but other current laws have proved weak, does not provide deterrence, are difficult to enforce and virtually almost impossible to prosecute. Having individuals take videos, risking retaliation, assaults, and getting injured from fireworks, have proved useless because once fireworks explodes there is no evidence, and many are not willing to testify. It was mentioned that one of the main roadblocks to enforce and prosecute illegal fireworks was the way these type of fireworks were defined.

HB 1483 HD1, SD1 provides an excellent solution by amending definitions and penalties for fireworks offenses, and implementing a dedicated adjudication system for fireworks infractions similar to traffic infractions. This will make it easier for officers to increase enforcement of end-use violators and make it easier and faster to adjudicate cases in a district or family court. An exorbitant amount is spent on fireworks, so hopefully fines will be hefty enough and escalate as needed until a point of deterrence is achieved. Slowing the flow of illegal fireworks entering the islands, together with an adjudication system will add to effectiveness.

In the area where I live, aerals were most prominent this past New Year's Eve. These aerals come not from a nearby neighbor, but travel from a street or two over. What I found most

disturbing when cleaning up the mess is the use of more plastics. When these tubes explode parts of it shatters, scattering small sharp pieces of plastic in the grass. The goal is to reduce plastics, but aerials that have no useful purpose scatter it everywhere. It takes patience each year cleaning up debris that we were not responsible for. It's troubling for people who have to pay for damages caused by illegal fireworks because there is no evidence and proof who did it. A post this past New Year's Eve showed a gaping hole in a Waipahu roof where debris landed on furniture and the floor. We cringe when we hear an aerial hit our roof. My neighbor has a nice garden and plants vegetables to eat. This past New Year's Eve she actually covered what she could of her garden so firework chemicals and debris would not contaminate her plants and soil. You would think the Aliamanu incident would make people think twice, but I still hear illegal fireworks every now and then.

There was another recent incident on 1/28/25 where a 27 year-old woman sustained serious multiple shrapnel injuries after igniting fireworks.

Please provide full support for HB 1483, HD1, SD1.

Thank you for the opportunity to testify.

LATE

HB-1483-SD-1

Submitted on: 4/3/2025 8:56:03 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Jessica Braun	Individual	Support	Written Testimony Only

Comments:

Testimony 2

Jessica Braun

04/04/2025

HB 1483

Hello legislatures,

My name is Jessica Braun. I am a student, a social worker, and a member of this community. I am writing to you today in support of implementing and enforcing a stronger penalty for the use of fireworks. Although fireworks are used as a symbol of celebration, our community has experienced first-hand how they can endanger and cause life-changing harm to individuals in our community. Firework are also known to be leaders in starting for major fires causing property damage, loss and harm to the health of our enviornment. The sound from fireworks also significantly affects our young child, pets, individuals with PTSD, veterans, and trauma survivors who experience anxiety due to sudden, excess, and loud explosive noise.

As a mental health worker, my main concerns are focused on fireworks fatalities and thier harm to indidual who have experienced trauma related to their loud sounds, sounds similar to gun shots, sudden bright flash, and unexpected burst. Unfortunately fireworks can lead to harm, injuery and even death on individuals especially when being used improperty or in set off in improper spaces. Every year, fireworks-related accidents cause a significant number of fatalities and injuries, including burns, traumatic injuries, and even fatalities from explosions.

Lastly, unauthorized fireworks place a heavy burden on emergency responders, diverting resources away from critical situations. By enforcing penalties, we can reduce the strain on firefighters, paramedics, and police officers who must respond to firework-related incidents.

Strengthening penalties will serve as a deterrent and help to reduce these preventable tragedies. Your consideration of these matters and solutions is very much appreciated.

Thank you for your time.

Jessica Braun, Honolulu, HI.

LATE

HB-1483-SD-1

Submitted on: 4/3/2025 9:02:12 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael A. Cobb Jr	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. We have a strict process for legal fireworks. We have eliminated sparklers. The illegal fireworks will continue to be a problem since sparklers are gone. We have enough laws. This is not needed.