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830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813
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January 30, 2025

The Honorable Brandon Elefante, Chair
Committee on Public Safety and Military Affairs
State Senate
State Capitol, Room 217
Honolulu, Hawaii 96813

The Honorable Chris Lee, Chair
Committee on Transportation and Culture and the Arts
State Senate
State Capitol, Room 219
Honolulu, Hawaii 96813

Dear Chairs Elefante and Lee:

Subject: Senate Bill (SB) 302 Relating to Fireworks

I am Kazuo Todd, Chair of the Hawaii State Fire Council (SFC). The SFC supports SB 302, which prohibits the use of consumer fireworks except for cultural use by permit; repeals the wording of section 132D-3(1), HRS, that generally allows the use of consumer fireworks without a permit on New Year's Eve, New Year's Day, and the Fourth of July; makes it unlawful to offer, display for sale, sell, or furnish consumer fireworks to any person except for cultural use by permit; prohibits the sale of fireworks to a person more than 5 calendar days before a permitted cultural use; imposes a fee of \$25 per permit for the purchase and cultural use of consumer fireworks; and imposes a statewide limitation on consumer fireworks, except by permit for cultural use.

The SFC fully supports increased limitations on the use of fireworks by the general public. The widespread use of fireworks endangers the public. Members of the public suffered firework-related injuries during recent New Year's Eve celebrations.

Each New Year's Eve, first responder agencies throughout the state experience high operational tempo from fireworks misuse; with incident call volume occasionally exceeding available resources. According to the National Fire Protection Association, fireworks cause more than 19,500 fires each year. The Honolulu Fire Department responded to 30 probable fireworks-related fire calls over a 24-hour period starting on New Year's Eve at 8 a.m. This was a 30% increase in firework-related fires compared

The Honorable Brandon Elefante, Chair
The Honorable Chris Lee
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January 30, 2025

to the previous year. The 30 fireworks-related fires included two structure fires, one dumpster fire, thirteen rubbish fires, three wildland fires, one vehicle fire, and ten unclassified fires.

Fireworks are known ignition sources for building fires and wildfires in Hawaii. To protect the public, property, and the environment; the SFC urges your committee's support on the passage of SB 302.

Should you have questions, please contact SFC Administrative Specialist Gary Lum at 808-723- 7169 or glum@honolulu.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kazuo Todd", written in a cursive style.

KAZUO TODD
Chair

KT:GL

JON N. IKENAGA
PUBLIC DEFENDER

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STATE OF HAWAII
OFFICE OF THE PUBLIC DEFENDER

February 4, 2025

SB302: RELATING TO FIREWORKS

Chair Elefante, Vice-Chair Wakai, and Members of the Committee on Public Safety and Military Affairs

Chair Lee, Vice Chair Inouye and Members of the Committee on Transportation and Culture and the Arts

The Office of the Public Defender (OPD) **opposes SB302.**

The OPD acknowledges the concerns raised by the community regarding the use of consumer fireworks and the resultant issues of fire hazards, smoke inhalation, noise issues for people and pets and the strain on public safety agencies. The OPD is concerned that the definition of the term “cultural” may present issues as it unclear how the determination will be made as to whether a proposed use of consumer fireworks constitutes a “cultural purpose” and any ambiguity in the definition or lack of clarity may give rise to arbitrary enforcement and resultant legal and constitutional challenges.

One source of guidance for crafting a less ambiguous and more easily-applied definition of “cultural” may be case law regarding Native Hawaiian subsistence, cultural and religious practices. While Article 12, Section 7 of the Hawai`i Constitution sets forth explicit guidelines as to the type of practices which may be considered rights which were customarily and traditionally exercised by Native Hawaiians, the Hawai`i Supreme has provided some guidance as well.

To establish the existence of a traditional or customary native Hawaiian practice, we hold that there must be an adequate foundation in the record connecting the claimed right to a firmly rooted traditional or customary native Hawaiian practice.

State v. Hanapi, 89 Hawai`i 177, 187, 970 P.2d 485, 495 (1998). In regarding to how such a foundation may be established, the Hawai`i Supreme Court suggested the following:

A defendant may lay an adequate foundation by putting forth specialized knowledge that the claimed right is a traditional or customary native Hawaiian practice. This specialized knowledge may come from expert testimony, pursuant to HRE Rule 702 (1993). HRE Rule 702 states:

Testimony by experts. If scientific, technical, or other specialized knowledge will assist the trier of fact to understand the evidence or to determine a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training, or education may testify thereto in the form of an opinion or otherwise. In determining the issue of assistance to the trier of fact, the court may consider the trustworthiness and validity of the scientific technique or mode of analysis employed by the proffered expert.

In this jurisdiction, we have also accepted kama'aina witness testimony as proof of ancient Hawaiian tradition, custom, and usage. See Palama v. Sheehan, 50 Haw. 298, 440 P.2d 95 (1968) (holding that testimony from kama'aina witnesses were sufficient to find the existence of an ancient Hawaiian right of way); Application of Ashford, 50 Haw. 314, 316, 440 P.2d 76, 78, reh'g denied, 50 Haw. 452, 440 P.2d 76 (1968) (recognizing that Hawai'i "allow[s] reputation evidence by kama'aina witnesses in land disputes"); In re Boundaries of Pulehunui, 4 Haw. 239 (1879) (permitting kama'aina witnesses to testify about the location of ancient Hawaiian land boundaries).

Id. at 187, n.12, 970 P.2d at 495, n.12. While such a determination may be beyond the scope of the current permitting system, if this bill is to succeed, there must be an objective way to determine whether a claimed use of consumer fireworks is "cultural" or not.

Thank you for the opportunity to comment on this measure.



Hawaiian Humane Society
People for animals. Animals for people.

Date: Jan. 31, 2025

To: Chairs Sens. Brandon J.C. Elefante & Chris Lee
Vice Chairs Sens. Glenn Wakai & Lorraine R. Inouye
and Members of the Committees on Public Safety and Military Affairs;
& Transportation and Culture and the Arts

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

RE: Testimony in support of SB 302: Relating to Fireworks
Wednesday, Feb. 5, 2025, 3 p.m., Room 225 & Videoconference

On behalf of the Hawaiian Humane Society, thank you for considering our support for Senate Bill 302, which amends the definition of “cultural;” prohibits the use of consumer fireworks except for cultural use by permit; repeals the wording of section 132D-3(1), HRS, that generally allows the use of consumer fireworks without a permit on New Year's Eve, New Year's Day, and the Fourth of July; makes it unlawful to offer, display for sale, sell, or furnish consumer fireworks to any person except for cultural use by permit; prohibits the sale of fireworks to a person more than 5 calendar days before a permitted cultural use; imposes a fee of \$25 per permit for the purchase and cultural use of consumer fireworks; and imposes a statewide limitation on consumer fireworks, except by permit for cultural use.

Hawaiian Humane supports any attempt to restrict fireworks from residential neighborhoods. After the tragic deaths and injuries on O’ahu this year, it should be clear to our community that lighting off explosives in our neighborhoods poses an unacceptable risk. These unexpected explosions terrorize pets and people alike at what should be joyful times for local families.

By limiting the issuance of fireworks permits to cultural events, this measure has the potential to reduce the amount of fireworks imported into the state and make it easier to interdict illicit supplies.

Please pass SB302 and prevent future tragedies. Mahalo for your consideration.

SB-302

Submitted on: 1/31/2025 10:51:51 PM

Testimony for PSM on 2/5/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marian Hussenbux	Testifying for Animal Interfaith Alliance in Britain	Support	Written Testimony Only

Comments:

We refer to the first of the Firework Bills.

SB302 limits fireworks to permitted cultural events and is part of the State Fire Council Package.

We are in strong support. It might be interesting to you that in Britain we also are lobbying to get much stronger legislation to curb the menace of fireworks.

We think they are a potential danger to all sectors of society, to vulnerable adults, to children, to companion animals, to farmed animals and to wildlife.



**TESTIMONY OF TINA YAMAKI, PRESIDENT
RETAIL MERCHANTS OF HAWAII
FEBRUARY 5, 2025
SB 302 RELATING TO FIREWORKS**

Good afternoon, Chair Elefante and Chair Lee and members of the Senate Committee on Public Safety & Governmental & Military Affairs and the Senate Committee on Transportation & Culture & the Arts. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii was founded in 1901 and is a statewide, not for profit trade organization committed to supporting the growth and development of the retail industry in Hawaii. Our membership includes small mom & pop stores, large box stores, resellers, luxury retail, department stores, shopping malls, on-line sellers, local, national, and international retailers, chains, and everyone in between.

We oppose SB 302. This measure amends the definition of "cultural"; prohibits the use of consumer fireworks except for cultural use by permit; repeals the wording of section 132D-3(1), HRS, that generally allows the use of consumer fireworks without a permit on New Year's Eve, New Year's Day, and the Fourth of July; makes it unlawful to offer, display for sale, sell, or furnish consumer fireworks to any person except for cultural use by permit; prohibits the sale of fireworks to a person more than 5 calendar days before a permitted cultural use; imposes a fee of \$25 per permit for the purchase and cultural use of consumer fireworks; and imposes a statewide limitation on consumer fireworks, except by permit for cultural use.

Firecrackers hold profound cultural significance, especially within the Chinese, Japanese, and Filipino communities in Hawaii. The sale and use of consumer fireworks like firecrackers and sparklers contribute significantly to the local economy. Prior to the ban, retailers, distributors, and small businesses used to see a substantial increase in revenue during the festive seasons. This economic boost is especially important for small business owners who rely on seasonal sales to sustain their livelihoods. Many legitimate retailers depended on the sale of legal fireworks like sparklers and firecrackers, knowing that buyers must obtain a permit before purchase. The ban on fireworks imposed an additional financial burden on these law-abiding retailers, many of whom are still struggling to stay afloat. Nonprofits and churches also relied on the seasonal pop-up sales of legal fireworks. Allowing the sale of consumer fireworks would support the economic health of these retailers and community organizations.

Since the ban on Oahu, we continue to see more and more “bombs” and aerials lighting up the sky’s weeks before the actual holiday from people’s residences, from the street fronting people’s homes, and at beaches. Banning consumer fireworks did not eliminate their use on Oahu and has NOT proven to be a viable solution as people still find ways to obtain them illegally, making those in the black market richer. It is important to remember that illegal fireworks are unregulated and pose significant safety risks.

We should be finding other means to enforce the laws and penalties on those who use illegal aerials and “bombs” and who also bring them into the islands. We need to ensure that the Illegal Fireworks Task Force that includes state narcotics agents, deputy sheriffs, county police officers, the Department of the Attorney General, and federal agencies including Homeland Security Investigations, the U.S. Postal Inspection Service, U.S. Customs and Border Protection, U.S. Coast Guard Investigative Service, and the Bureau of Alcohol, Tobacco, Firearms and Explosives has the tools and laws needed to apprehend those who are bringing in, distributing/selling and using the already illegal fireworks.

Mahalo for this opportunity to testify.



Senator Brandon J.C. Elefante, Chair
Senator Glenn Wakai, Vice Chair
Committee on Public Safety and Military Affairs

Senator Chris Lee, Chair
Senator Lorraine R. Inouye, Vice Chair
Committee on Transportation and Culture and the Arts

SB 302 - Relating to Fireworks – Oppose

Wednesday, February 5, 2025 at 3:00 p.m.

Aloha Chairs Elefante and Lee, Vice Chairs Wakai and Inouye, and members of the Committees:

TNT Fireworks (“TNT”) **opposes** SB 302 which prohibits the use of consumer fireworks except for cultural use by permit.

TNT is the largest distributor of fireworks in the US and an importer and seller of legal and safe consumer fireworks in Hawaii. TNT has had a presence in Hawaii for over 20 years and we partner with retailers such as Longs Drugs, Marukai, Don Quijote, Costco, Foodland, Malama Market, Food Pantry, Times Supermarkets and many others.

While we acknowledge the intent of this measure, we do not believe it will achieve the desired outcome. In 2010, the Honolulu City Council banned nearly all consumer fireworks on Oahu with the purpose of reducing injuries and smoke. Since that time, illegal aerial explosives have found its way into consumers’ hands through the lucrative black market.

The proliferation of illegal aerial explosives is at an all-time high. With the ban on Oahu proving to be unsuccessful and producing unintended consequences, a similar statewide ban would net the same negative results.

TNT Fireworks has worked to create a variety of education materials to help educate the public about the safe and proper use of legal consumer fireworks. Resources are also available to inform the public about the difference between legal consumer fireworks and illegal aerial explosives. These resources are available in print form, digital content and videos.

AMERICAN PROMOTIONAL EVENTS, INC.
2120 MILWAUKEE WAY • TACOMA, WA 98421
TACOMA (253) 922-0800 • FAX (253) 830-2930
www.tntfireworks.com



Enforcement is a critical component but must be in conjunction with prosecution of offenses along with safety and education on handling consumer fireworks and safer alternative products.

Thank you for the opportunity to testify and respectfully ask that you hold this measure.

Tad Trout

**AMERICAN PROMOTIONAL EVENTS, INC.
2120 MILWAUKEE WAY • TACOMA, WA 98421
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www.tntfireworks.com**

PHANTOM FIREWORKS

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www.fireworks.com

Senate Bill 302

Good afternoon Chair Lee, Vice Chair Inouye, and members of the committee. My name is Dan Peart, Director of Government Affairs for Phantom Fireworks, one of the leading retailers of consumer fireworks in the country and I thank you for the opportunity to present our comments on Senate Bill 302.

SB 302 aims to eliminate Hawaii's current consumer fireworks law that allows the sale and use of ground-based consumer fireworks and firecrackers, and only allow their sale and use for a vaguely defined "cultural event ." This effectively eliminates the sale of consumer fireworks as it offers no guidance on sales dates for any cultural event, so the market is left to decide which cultural events to open up for throughout the year.

How do we apply for a license to sell legal consumer fireworks now, and how long is the selling period? Does this mean we can pick a dozen cultural events and open up a dozen times throughout the year? Currently, we only operate during the New Year's season. Phantom Fireworks has been selling legal consumer fireworks in Hawaii for years and we are unaware of issues with our operations, or other consumer fireworks retailers, that would prompt such an effort to shut us down.

Clearly, Phantom Fireworks understands the importance of tackling the illegal fireworks market and we have supported a number of those efforts each year. We've had great relationships with our enforcement officials and our inspection history is pristine. SB 302 does nothing to gain information or control of the illegal fireworks market, but instead punishes those that do play by the rules.

SB 302 may also be challenged as unconstitutionally vague due to its failure to clearly define "cultural use." Laws must provide specific guidance on prohibited conduct to avoid vagueness which may lead to arbitrary or discriminatory enforcement. A law that grants government officials broad discretion to approve or deny permits without clear standards risks violating the due process. Additionally, overly vague laws can chill lawful activity by leaving individuals uncertain about what is permitted as a cultural use. Without a precise definition, enforcement could vary unpredictably, leading to potential legal challenges.

In addition, the lack of clear criteria for cultural use creates a risk of selective enforcement, where certain groups may be unfairly favored while others are denied access. For example, we may assume, based on previous history, that fireworks may be allowed for Chinese new year holidays under the cultural use definition, but with over 2000 holidays celebrated by different cultures, it's difficult to define which cultures' holidays would be accepted. If government officials have unchecked authority to determine which uses qualify, this could result in inconsistent application, making the bill vulnerable to constitutional scrutiny under the Equal Protection clause.

For these reasons, Phantom Fireworks unequivocally opposes Senate Bill 302 and we urge the committee to vote "no" today.

Thank you for your time.

Danial Peart



Hawaii Representatives & Senators:

On behalf of the Libertarian Party of Hawaii, I am writing to express our strong opposition to any prohibitions and enforcement measures targeting fireworks. We believe Hawaiians have the right to pursue and engage in any activities that bring them joy and fulfillment.

Fireworks prohibitions and regulations infringe upon the freedom of our citizens to partake in this time-honored custom, diminishing the spirit of celebration and unity that fireworks bring.

Implementing strict enforcement measures to crack down on fireworks usage would only serve to burden law enforcement resources, and divert needed attention away from more pressing issues. Prohibitions and heavy enforcement will lead to unnecessary conflict between police and citizens, eroding trust and creating an atmosphere of fear and animosity. Causing harm against another person is already illegal, and crimes can already be prosecuted without these new tyrannical enforcement measures.

The Libertarian Party of Hawaii stands firm in our support of individual freedom and opposes any measures that encroach upon our citizens' rights.

In Freedom,

Abbra Green

Executive Secretary, Libertarian Party of Hawaii

lphisecretary@gmail.com

SB-302

Submitted on: 2/2/2025 12:59:35 PM

Testimony for PSM on 2/5/2025 3:00:00 PM

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

Comments:

Aloha Chairs Elefante and Lee; Vice Chairs Wakai and Inouye, and Committee Members,

COMMENTS ON SB302:

SB302 proposes a total ban on all consumer fireworks statewide except for cultural use by permit.

A total ban at this time, may be unfair to those who do follow the law and enjoy using firecrackers due to their beliefs and culture. It is worth a try to keep the existing partial ban in place, with stricter laws that will provide deterrence. If this does not significantly reduce the demand for illegal fireworks then a total ban may be necessary in the future.

Since 2011 there has been a ban on all consumer fireworks except for firecrackers by permit. From that time on, fireworks use kept growing to be more out of control, with more powerful display type of fireworks and bombs, used by non-professionals in condensed neighborhoods, often with narrow roads and streets. Some have even resorted to making homemade bombs. Despite all the fatalities, life-changing injuries, destruction to property, people suffering with health issues, trauma to animals, pollution,....the madness continues. Bullies call those who have had enough and complain, all kinds of names, some unmentionable. They tell people if they don't like it to move, even if they themselves were not born and raised here.

I have seen YouTube videos showing little children igniting aerial fireworks in the middle of the street, and a woman holding a pipe shooting fireworks continuously in the air. It shows a car heading where aerials are being lit in the middle of a street, someone acknowledges the oncoming car, while another yells "F" it, just go ahead. It shows parties held where people take shots of alcohol throughout the night as they ignite aerial fireworks. Hard liquor and illegal fireworks are a dangerous combination. Culture? Tradition? The way that I was brought up? No! Just pure out of control madness. This lack of respect for others and the law is nothing what I had experienced growing up here. The lack of enforcement has led to people being emboldened and disrespectful.

I have seen posts where neighbors confront someone igniting fireworks during unauthorized times. They get threatened but nothing can be done because police have not witnessed anything. Some assaults have also happened because of confrontations.

Some want a total ban, some want a partial ban like the one in place now, some want more consumer fireworks added to the mix, and some want it all legal claiming bans invites more Black Market activity. But has there ever been any laws that can actually be enforced or prosecuted to the point of creating some type of deterrence? Or are the laws in place but those who can enforce it are not doing their part? Have there ever been penalties that create fear? What would a total ban do if a partial ban has not been enforced to the point of making a difference? The seizures and arrests by the Illegal Fireworks Task Force has proved that something can be done. Hopefully the political will of the legislature exists this year to do more.

Thank you for the opportunity to comment on SB302.

SB-302

Submitted on: 1/30/2025 12:23:59 PM

Testimony for PSM on 2/5/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Kawasaki	Individual	Support	Written Testimony Only

Comments:

Fireworks testimony

I am in support of a total fireworks ban including firecrackers.

I do suggest that consumer novelty fireworks items should be returned to legal use with a permit.

The permit should be available online after reviewing a safety video and be of nominal cost (i.e., \$5).

Legal consumer novelty items would include paperless firecrackers which would satisfy cultural practices, be less impactful to health, and reduce environmental concerns.

We cannot risk our medical system becoming overwhelmed again with another fireworks mass casualty event as happened this year.

SB-302

Submitted on: 1/31/2025 12:06:21 PM

Testimony for PSM on 2/5/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Scott Sumi	Individual	Support	Written Testimony Only

Comments:

I am in total support of this bill. Thank you for considering this amendment as your approvals would be greatly needed and appreciated by everyone that wants a safer firework environment.

SB-302

Submitted on: 1/31/2025 5:56:29 PM

Testimony for PSM on 2/5/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
joanna p milo	Individual	Support	Written Testimony Only

Comments:

Help them find peace

SB-302

Submitted on: 1/31/2025 6:41:09 PM

Testimony for PSM on 2/5/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lois Crozer	Individual	Support	Written Testimony Only

Comments:

I don't care HOW you do this, but we MUST limit fireworks, and especiatlly aerial bombs.

SB-302

Submitted on: 1/31/2025 9:45:42 PM

Testimony for PSM on 2/5/2025 3:00:00 PM

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

Comments:

I am in full support of every bill which will work to stop the lawlessness of illegal fireworks. We need to take a holistic approach to the problem, to make the community safe from the horrific noise, injuries, death of what clearly is not cultural behavior, to save those with PTSD from more trauma, and to spare our pets from this terror. Please support all fireworks bills and increase enforcement.

SB-302

Submitted on: 1/31/2025 10:32:32 PM

Testimony for PSM on 2/5/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephanie McLaughlin	Individual	Support	Written Testimony Only

Comments:

Please pass this important bill that will help Hawaii's humans and animals who suffer from the noise and smoke created by fireworks.

SB-302

Submitted on: 1/31/2025 11:22:13 PM

Testimony for PSM on 2/5/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
JANICE FUKUDA	Individual	Support	Written Testimony Only

Comments:

Honorable Senators

I support the INTENT of this bill, however, the number of permits per person, per household should be limited to 1 per cultural event. This may curtail the ability to make bombs and other explosive devices.

Section 132D-5 - It is unclear how it can be determined that a particular individual extracted the pyrotechnic contents of fireworks. Please ADD - It shall be unlawful for any person or licensed operator to have in their possession, in or on their property any extracted pyrotechnic contents.

Thank you

SB-302

Submitted on: 2/1/2025 5:30:56 AM

Testimony for PSM on 2/5/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Melanie Kim	Individual	Support	Written Testimony Only

Comments:

Please support this bill that will support Hawaii's love for fireworks in cultural events that can be enjoyed by everyone in a venues where safety measures and oversight can be enforced to reduce damage, destruction and harm to individuals and animals to property

SB-302

Submitted on: 2/1/2025 5:39:21 PM

Testimony for PSM on 2/5/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Serena Stefanic-Phillip	Individual	Support	Written Testimony Only

Comments:

I am in support of Bill SB302.

SB-302

Submitted on: 2/2/2025 5:14:13 AM

Testimony for PSM on 2/5/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Chiwa	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Senator Elefante, Vice Chair Senator Wakai and Members of the Committee on Public Safety and Military Affairs, and Chair Senator Lee, Vice Chair Senator Inouye and Members of the Committee on Transportation and Culture and the Arts.

Please support SB 302 to prohibit the use of consumer fireworks except for cultural use by permit. I support the intent of this bill, but I think it should be amended to prohibit all consumer fireworks, no exceptions. Health and safety should be of paramount importance, and these values should be considered part of the culture of Hawaii. Cultural practices which do not align with these values should be prohibited.

Mahalo.

Jennifer Chiwa

Makiki and life long resident of Oahu

SB-302

Submitted on: 2/3/2025 8:09:43 AM

Testimony for PSM on 2/5/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bill Dixon	Individual	Support	Written Testimony Only

Comments:

It's time to demilitarize our neighborhoods, eliminate deadly impacts on children and families, and protect our islands from fires by banning most fireworks. SB302 will:

Limit the explosive power of any fireworks sold to consumers.

Prohibit the use of consumer fireworks except for cultural use by permit.

Repeal language that generally allows the use of consumer fireworks without a permit on New Year's Eve, New Year's Day, and the Fourth of July.

Make it unlawful to offer, display for sale, sell, or furnish consumer fireworks to any person except for cultural use by permit.

And prohibit the sale of fireworks to a person more than 5 calendar days before a permitted cultural use.

These are much-needed provisions that are strongly supported by public safety agencies. I urge the committee to advance this legislation.

SB-302

Submitted on: 2/3/2025 9:28:31 AM

Testimony for PSM on 2/5/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sheri Iha	Individual	Support	Written Testimony Only

Comments:

I support SB302!

SB-302

Submitted on: 2/2/2025 10:48:13 PM

Testimony for PSM on 2/5/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
J. Takane	Individual	Support	Written Testimony Only

Comments:

I fully support support this measure in the hope that what happened this past New Year's Eve won't happen again. I support a state wide limitation on consumer fireworks except by permit for cultural use. We hear too often, oh but, it's the culture but that doesn't apply to lighting up literal bombs in our neighborhood, not to mention the chaos and damage the noise creates for our local wildlife and our pets.

SB-302

Submitted on: 2/3/2025 11:00:21 PM

Testimony for PSM on 2/5/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gordon B. Lindsey	Individual	Support	Written Testimony Only

Comments:

I am in support of SB302

Testimony for SB302: Fireworks restrictions.

Dear Senators,

Please do not pass this highly restrictive bill that punishes law abiding citizens. My family enjoy firecrackers and follow the current laws, firecrackers did not cause the damage on New Years Eve. People as individuals need to be held accountable for their actions, stop blaming stuff, it is the individual plane and simple. We need to allow sparklers and other novelty fireworks again. I used them as a child and I still have all my fingers and toes. I do not support this legislation.

Thank you.

SB-302

Submitted on: 1/30/2025 10:35:22 AM

Testimony for PSM on 2/5/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bronson Teixeira	Individual	Oppose	Written Testimony Only

Comments:

I stand in opposition to this bill.

SB-302

Submitted on: 2/3/2025 9:08:42 PM

Testimony for PSM on 2/5/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nicholas Zehr	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Members of the Committee,

I write in strong **OPPOSITION** to the proposed bill seeking to restrict the sale and use of consumer fireworks in Hawaii. While I recognize concerns regarding safety, noise, and air quality, I urge lawmakers to consider the fundamental principles of personal liberty, property rights, and individual responsibility that this bill seeks to undermine.

1. Personal Liberty and Freedom of Choice

The right of individuals to celebrate with fireworks is a long-standing tradition deeply embedded in cultural and historical practices. This bill represents an unnecessary government overreach into the personal freedoms of law-abiding citizens who wish to engage in peaceful celebrations. The government should not dictate which traditions are permissible based on arbitrary classifications of "cultural use." Instead, individuals should have the right to celebrate as they see fit, provided they do not infringe upon the rights of others.

2. Inconsistent and Arbitrary Restrictions

By limiting the use of consumer fireworks exclusively to undefined "cultural purposes," the bill creates an arbitrary distinction between acceptable and unacceptable forms of celebration. Such vague and subjective criteria will lead to selective enforcement and potential government favoritism. If the concern is public safety, then the same logic should apply to all forms of fireworks use rather than creating exemptions based on cultural identity. This selective approach is not only unfair but also legally questionable in terms of equal protection under the law.

3. Individual Responsibility Over Collective Punishment

The bill assumes that banning or restricting fireworks will eliminate risks such as fires, injuries, and noise disturbances. However, responsible individuals should not be punished for the negligent actions of a few. Many of the cited concerns—such as improper use, accidents, and disturbances—can and should be addressed through better enforcement of existing laws rather than imposing blanket prohibitions that infringe on personal liberties. Holding individuals accountable for reckless behavior is a far more just and effective approach than restricting rights for all.

4. Government Overreach and the Slippery Slope of Prohibition

Historically, prohibitionist policies have led to unintended consequences, including black-market activity and increased strain on law enforcement. Hawaii has already seen illegal fireworks become a significant issue due to prior restrictive measures. Further limiting legal avenues for purchasing fireworks will only drive more residents toward illegal sources, exacerbating the very problem the bill seeks to solve. Rather than imposing stricter bans, a better approach would be to ensure legal access to safe fireworks and focus on education about responsible use.

Respectfully,
Nicholas Zehr