S.B. NO. 2554

JAN 1 8 2008

## A BILL FOR AN ACT

RELATING TO FIREWORKS.

## BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The purpose of this Act is to correct a
 definition, correct language under general prohibitions, and
 clarify the minimum age to sell fireworks.

SECTION 2. Section 132D-2, Hawaii Revised Statutes, is
amended by amending the definition of "display fireworks" to
read as follows:

""Display fireworks" means any fireworks designed primarily 7 for exhibition display by producing visible or audible effects 8 and classified as display fireworks or contained in the 9 regulations of the United States Department of Transportation 10 and designated as UN0333, UN0334, or UN0335, and includes 11 salutes containing more than two grains (one hundred and thirty 12 milligrams) of explosive materials, aerial shells containing 13 more than forty grams of pyrotechnic compositions, and other 14 display pieces which exceed the limits of explosive materials 15 for classification as "consumer fireworks". This term also 16 includes fused setpieces containing components, which together 17 exceed fifty milligrams of salute power. The use of display 18 SB LRB 08-1044.doc



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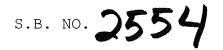
1	fireworks	shal	l be prohibited for use by any person who does not
2	have a display permit issued by a county."		
3	SECTION 3. Section 132D-5, Hawaii Revised Statutes, is		
4	amended by amending subsection (a) to read as follows:		
5	"(a)	It	shall be unlawful for any person [ <del>without a</del>
6	<del>permit</del> ] to:		
7	(1)	Remo	ve or extract the pyrotechnic contents from any
8		fire	works;
9	(2)	Thro	w any ignited fireworks from a moving vehicle; or
10	(3)	Set	off, ignite, discharge, or otherwise cause to
11		expl	ode any fireworks:
12		(A)	At any time not within the periods for use
13			prescribed in section 132D-3, unless permitted
14			pursuant to section 132D-10;
15		(B)	Within one thousand feet from any operating
16			hospital, convalescent home, home for the
17			elderly, or animal hospital;
18		(C)	In any school building, or on any school grounds
19			and yards without first obtaining authorization
20			from appropriate school officials;
21		(D)	On any highway, alley, street, sidewalk, or other
22			public way; in any park; within fifty feet from a
	an INN 00	1044	



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1 canefield; or within one thousand feet from any building used for public worship during the 2 periods when services are held; except as may be 3 permitted pursuant to section 132D-10; and 4 Within five hundred feet from any hotel [-,], 5 (E) unless permitted pursuant to section 132D-10." 6 SECTION 4. Section 132D-12, Hawaii Revised Statutes, is 7 amended to read as follows: 8 "\$132D-12 Sale to minors. It shall be unlawful for any 9 person to offer for sale, sell, or give any fireworks or 10 articles pyrotechnic to minors, and for any minor to possess, 11 purchase, sell, or set off, ignite, or otherwise cause to 12 13 explode any fireworks or articles pyrotechnic, except as 14 provided in section 132D-13." 15 SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored. 16 17 SECTION 6. This Act shall take effect upon its approval. 18 INTRODUCED BY:





UF.

Report Title:

Fireworks

## Description:

Amends the definition of "display fireworks"; clarifies that fireworks may not be used within 500 feet of a hotel unless permitted; and clarifies that minors are prohibited from selling fireworks.

