

JAN 23 2015

A BILL FOR AN ACT

RELATING TO FIREWORKS.

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

1 SECTION 1. The legislature finds that the transportation
2 of fireworks to, from, and within the State of Hawaii requires
3 the utilization of multiple methods of transportation, including
4 but not limited to interstate or intrastate trucking, rail, and
5 maritime transportation. The legislature also finds that given
6 the diversity of transportation processes and modes, it is
7 essential to the health and safety of the community and the
8 State's first responders that the importation of fireworks
9 shipments be thoroughly accounted for and reported. Although
10 existing law regulating fireworks provides requirements for
11 licensed individuals or entities, additional shipper and
12 redistribution requirements are necessary.

13 The purpose of this Act is to delineate the
14 responsibilities of those persons or entities defined as
15 "shipper"; clarify the label size of display fireworks, articles
16 pyrotechnic, and aerial devices; and authorize the use of
17 fireworks in certain circumstances.



1 SECTION 2. Chapter 132D, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§132D- Requirements of shipper. Any shipper that
5 receives fireworks that are imported into the State or between
6 counties shall notify the county fire chief prior to shipment,
7 as to whether the shipment will be distributed from:

8 (1) Pier to pier;

9 (2) Pier to warehouse or storage facility; or

10 (3) Pier to redistribution."

11 SECTION 3. Section 132D-2, Hawaii Revised Statutes, is
12 amended by adding a new definition to be appropriately inserted
13 and to read as follows:

14 "Redistribution" means the performance or conducting of
15 activities related to the unpacking, segregating, and repacking
16 of a consolidated shipment of fireworks or articles pyrotechnic
17 for the purpose of transporting or delivering to a storage,
18 wholesale, or retail site pursuant to section 132D-8.6.
19 Redistribution activities shall be temporary or of a short
20 duration."



SECTION 4. Section 132D-6, Hawaii Revised Statutes, is amended to read as follows:

"~~[+]~~§132D-6~~[+]~~ **Exceptions.** The prohibitions in section 132D-5 do not apply to:

- (1) The use of flares, noisemakers, or signals for warning, pest control, or illumination purposes by police and fire departments, utility companies, transportation agencies, and other governmental or private agencies or persons, including agricultural operations, in connection with emergencies, their duties, or business; ~~[and]~~
- (2) The sale or use of blank cartridges for a show or theater, or for signal, commercial, or institutional purposes in athletics or sports~~[+]~~;
- (3) The purchase and use of consumer fireworks, aerial devices, display fireworks, or articles pyrotechnic in a film or movie production with a valid permit issued by a county pursuant to section 132D-10; and
- (4) The testing, disposal, or destruction of illegal or unwanted fireworks by the authority having jurisdiction."



SECTION 5. Section 132D-16.5, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) Each shell, mine, comet, and multiple tube device, such as finale or barrage boxes, roman candle batteries, or cakes, shall bear a permanent label listing the licensee's name, address, and contact information to include telephone number or electronic mail address. The label shall also list the name and business address of the manufacturer. The label shall be approved by the state fire council and conform to the following standards:

(1) Numerals and letters of the printed matter shall be not less than one-eighth of an inch high;

(2) Required statements shall be printed in a color that contrasts sharply with the background and shall be printed within a borderline; and

(3) The label shall measure at least nine square inches [~~by nine inches~~]; provided that if the size of the shell, mine, comet, or multiple tube device is too small to correctly display a label of this size, the label may be reduced to a size no smaller than



1 necessary to properly display the information
2 described in this section."

3 SECTION 6. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 7. This Act shall take effect upon its approval.

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INTRODUCED BY:

Will Eyo

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S.B. NO. 662

Report Title:

Public Safety; Fireworks; Shipper Requirements; Labeling;
Prohibitions

Description:

Requires shippers to notify the county fire chief as to where fireworks shipments imported into the State or between counties are to be distributed; defines the term redistribution to clarify shipment notification requirements; clarifies that labels on certain fireworks shall be at least nine square inches; and establishes exceptions to fireworks prohibitions.

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