

JAN 19 2018

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 requires the
3 utilization of multiple modes or methods of transport,
4 including, but not limited to, interstate maritime
5 transportation and intrastate trucking. The legislature also
6 finds that, given the diversity of transportation processes and
7 modes, it is essential to, and in the best interest of, the
8 health and safety of first responders that the importation of
9 fireworks shipments be thoroughly accounted for and reported.

10 The legislature further finds that Hawaii's fireworks law
11 provides requirements under section 132D-8.6, Hawaii Revised
12 Statutes, for licensed individuals or entities that ship
13 fireworks. However, the legislature acknowledges that, while
14 the definition of "shipper" was added to section 132D-2, Hawaii
15 Revised Statutes, pursuant to Act 127, Session Laws of Hawaii
16 2011, the requirements for shippers were inadvertently omitted
17 from the Hawaii Revised Statutes. The legislature therefore



1 finds that to ensure a more comprehensive tracking of all
2 shipments of fireworks imported into the State, additional
3 requirements regarding those persons and entities defined as
4 "shippers" are necessary.

5 The legislature also finds it reasonable to authorize
6 certain acts regarding fireworks, and necessary to clarify a
7 labeling requirement regarding certain fireworks.

8 The purpose of this Act is to amend current state fireworks
9 law by:

- 10 (1) Delineating the responsibilities of those persons and
11 entities defined as "shippers";
- 12 (2) Authorizing the use of fireworks, by permit, for film
13 and movie productions;
- 14 (3) Authorizing the testing, disposal, and destruction of
15 illegal and unwanted fireworks by law enforcement; and
- 16 (4) Correcting labeling dimensions with regard to display
17 fireworks, articles pyrotechnic, or aerial devices
18 used for a display.

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



1 "§132D- Requirements for shippers. Any shipper that
2 receives fireworks that are imported into the State or
3 transported between counties, before shipment, shall notify the
4 county fire chief of the county to which the shipment is
5 destined as to whether the shipment will be distributed from:

- 6 (1) Pier to pier;
- 7 (2) Pier to warehouse or storage facility; or
- 8 (3) Pier to redistribution."

9 SECTION 3. Section 132D-6, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "~~§~~132D-6~~§~~ **Exceptions.** The prohibitions in section
12 132D-5 do not apply to:

- 13 (1) The use of flares, noisemakers, or signals for
14 warning, pest control, or illumination purposes by
15 police and fire departments, utility companies,
16 transportation agencies, and other governmental or
17 private agencies or persons, including agricultural
18 operations, in connection with emergencies, their
19 duties, or business; ~~and]~~



1 (2) The sale or use of blank cartridges for a show or
2 theater, or for signal, commercial, or institutional
3 purposes in athletics or sports[-];

4 (3) The purchase and use of consumer fireworks, aerial
5 devices, display fireworks, or articles pyrotechnic in
6 a film or movie production with a valid permit issued
7 by a county pursuant to section 132D-10; and

8 (4) The testing, disposal, or destruction of illegal or
9 unwanted fireworks by an authority having
10 jurisdiction, which shall be an agency responsible for
11 enforcing this chapter."

12 SECTION 4. Section 132D-16.5, Hawaii Revised Statutes, is
13 amended by amending subsection (b) to read as follows:

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



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- 1 (1) Numerals and letters of the printed matter shall be
2 not less than one-eighth of an inch high;
- 3 (2) Required statements shall be printed in a color that
4 contrasts sharply with the background and shall be
5 printed within a borderline; and
- 6 (3) The label shall measure at least nine [~~inches by nine~~]
7 square inches; provided that if the size of the shell,
8 mine, comet, or multiple tube device is too small to
9 correctly display a label of this size, the label may
10 be reduced to a size no smaller than necessary to
11 properly display the information described in this
12 section."

13 SECTION 5. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 6. This Act shall take effect upon its approval.

16

INTRODUCED BY:


By Request



S.B. NO. 2183

Report Title:

State Fire Council Package; Fireworks; Shippers; Film and Movie Production; Destruction; Testing; Labels

Description:

Specifies requirements for fireworks shippers. Authorizes the use, by permit, of fireworks for film and movie productions. Authorizes the testing, disposal, and destruction of illegal and unwanted fireworks by law enforcement. Corrects labeling dimensions with regard to display fireworks.

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