

JAN 27 2021

A BILL FOR AN ACT

RELATING TO FIREWORKS.

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

1 SECTION 1. The legislature acknowledges the multitude of
2 health and safety issues relating to the illegal use of
3 fireworks in Hawaii.

4 The purpose of this Act is to reduce the penalty for
5 fireworks offenses to a civil violation with the intended goal
6 of achieving more expeditious enforcement of fireworks laws.

7 SECTION 2. Section 132D-14, Hawaii Revised Statutes, is
8 amended by amending subsection (a) to read as follows:

9 "(a) Any person:

10 (1) Importing aerial devices, display fireworks, or
11 articles pyrotechnic without having a valid license
12 under section 132D-7 shall be guilty of a class C
13 felony;

14 (2) Purchasing, possessing, setting off, igniting, or
15 discharging aerial devices, display fireworks, or
16 articles pyrotechnic without a valid permit under
17 sections 132D-10 and 132D-16, or storing, selling, or



S.B. NO. 1020

1 possessing aerial devices, display fireworks, or
2 articles pyrotechnic without a valid license under
3 section 132D-7, or allowing an individual to possess,
4 set off, ignite, or otherwise cause to explode any
5 aerial device in violation of section 132D-14.5:

6 (A) If the total weight of the aerial devices,
7 display fireworks, or articles pyrotechnic is
8 twenty-five pounds or more, shall be guilty of a
9 class C felony; or

10 (B) If the total weight of the aerial devices,
11 display fireworks, or articles pyrotechnic is
12 less than twenty-five pounds, shall be guilty of
13 a misdemeanor; provided that purchasing,
14 possessing, setting off, igniting, or discharging
15 aerial devices, display fireworks, or articles
16 pyrotechnic without a valid permit under sections
17 132D-10 and 132D-16 shall be a civil violation if
18 the total weight of the aerial devices, display
19 fireworks, or articles pyrotechnic is less than
20 twenty-five pounds. A person issued a civil



S.B. NO. 1020

1 citation pursuant to this paragraph shall be
 2 subject to a fine of \$ _____ ;

3 (3) Who transfers or sells aerial devices, display
 4 fireworks, or articles pyrotechnic to a person who
 5 does not have a valid permit under sections 132D-10
 6 and 132D-16, shall be guilty of a class C felony; and

7 (4) Who removes or extracts the pyrotechnic contents from
 8 any fireworks or articles pyrotechnic and uses the
 9 contents to construct fireworks, articles pyrotechnic,
 10 or a fireworks or articles pyrotechnic related device
 11 shall be guilty of a misdemeanor."

12 SECTION 3. This Act does not affect rights and duties that
 13 matured, penalties that were incurred, and proceedings that were
 14 begun before its effective date.

15 SECTION 4. New statutory material is underscored.

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

17 INTRODUCED BY:  _____



S.B. NO. 1020

Report Title:

Fireworks; Possession; Penalty Reduction

Description:

Reduces the offense of purchasing, possessing, setting off, igniting, or discharging aerial devices, display fireworks, or articles pyrotechnic under a weight of twenty-five pounds without a valid permit to a civil violation.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

