

# STATE OF HAWAII DEPARTMENT OF PUBLIC SAFETY

1177 Alakea Street, 6th Floor Honolulu, Hawaii 96813 MAX N. OTANI DIRECTOR

Maria C. Cook Deputy Director Administration

Tommy Johnson Deputy Director Corrections

Jordan Lowe Deputy Director Law Enforcement

No
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# TESTIMONY ON HOUSE BILL 1695 RELATING TO FIREWORKS. by Max N. Otani, Director Department of Public Safety

House Committee on Consumer Protection and Commerce Representative Aaron Ling Johanson, Chair Representative Lisa Kitagawa, Vice Chair

Friday, February 4, 2022; 2:00 p.m. State Capitol, Via Videoconference

Chair Johanson, Vice Chair Kitagawa, and Members of the Committee:

The Department of Public Safety (PSD) supports House Bill (HB) 1695, which increases the maximum fines that may be assessed against certain fireworks related violations from \$2,000 to \$5,000.

PSD supports measures that will help stem the use of illegal fireworks in the State of Hawaii. Increasing the monetary fines under HB 1695 from a minimum fine of \$500 to \$2,000; and the maximum fine from \$2,000 to \$5,000 will act as a further deterrence for individuals to use illegal fireworks.

Thank you for the opportunity to provide this testimony.

Submitted on: 2/2/2022 1:06:49 PM

Testimony for CPC on 2/4/2022 2:00:00 PM

<b>Submitted By</b>	Organization	<b>Testifier Position</b>	Remote Testimony Requested
Ann S Freed	Individual	Support	No

#### Comments:

Aloha Chair and members,

I am in support of this measure. I like many others are so frustrated over the growing violation of our privacy, safety and sanity that so many scofflaws are perpetrating on our communities. I live in the Launani Valley in Central Oahu and am still hearing loud aerials go off from the direction of the gated community up over the ridge from our peaceful homes.

I don't think that increasing the fines will stop them, but it's a start...

Mahalo,

Ann S. Freed

Member of the Mililani Community

Submitted on: 2/2/2022 1:17:20 PM

Testimony for CPC on 2/4/2022 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Remote Testimony Requested
lynne matusow	Individual	Support	No

### Comments:

i'm not sure what good it will do but i support this measure. right now all those who fire off these dangerous missiles know there is a slim chance they will get caught so i doubt it will be much of a deterrent.

Submitted on: 2/2/2022 2:53:35 PM

Testimony for CPC on 2/4/2022 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Remote Testimony Requested
Lynn Murakami- Akatsuka	Individual	Support	No

## Comments:

Dear Members of the House Committee on Consumer Protection & Commerce,

I strongly support the passage of HB 1695 this session. Thank you for the opportunity to testify.

Submitted on: 2/2/2022 3:15:47 PM

Testimony for CPC on 2/4/2022 2:00:00 PM

<b>Submitted By</b>	Organization	<b>Testifier Position</b>	Remote Testimony Requested
Lillie Andrews	Individual	Support	No

#### Comments:

Aloha Legislators,

After the severity of this just passed New Year's Eve our household committed to supporting any and all efforts to stop illegal fireworks practices here on O'ahu.

This isnt a one-day problem, though it is so bad that would be enough; this goes on almost every day *all year long*, ramping up at Halloween and increasing until New Year's. The day afterward, our yard is littered with fireworks pieces and we're fairly sure we need to get up on the roof and clean that crap out of the gutters. And by the way, what chemicals are in that litter, on the roof, in the air, and finally in the waters we swim in after New Year's?

We've talked to neighbors we know are exploding aerials and bombs and have had no success. We've called the police many, many times, and they either don't show up or say they can't do anything while the neighbors launch aerials at the very same time.

Of course this has negatively impacted our lives. A treasured, small-kid tradition has become a truly dreaded holiday. Our animals are terrified and our nerves are shattered. Breathing is difficult for several hours each New Year's.

This measure is a solid step in the right direction to stopping an illegal, dangerous activity that is far more than a nuisance and way beyond out-of-control.

Mahalo for your time.

L. Andrews

Submitted on: 2/3/2022 6:09:15 AM

Testimony for CPC on 2/4/2022 2:00:00 PM

<b>Submitted By</b>	Organization	<b>Testifier Position</b>	Remote Testimony Requested
Jennifer Chiwa	Individual	Support	No

### Comments:

Aloha Chairperson Johanson, Vice Chairperson Kitagawa and Committee on Consumer Protection and Commerce Members.

I am Jennifer Chiwa and I have lived on Oahu my whole life. I currently reside in Makiki.

Please support HB 1695.

Mahalo.

Submitted on: 2/3/2022 12:40:11 PM

Testimony for CPC on 2/4/2022 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Remote Testimony Requested
Katie Bourke	Individual	Support	No

#### Comments:

To whom it may concern,

As a lifelong resident of Hawaii, I am in favor of increasing the fine for the use of Illegal Fireworks in Hawaii.

As a child, Fireworks were a joyous occasion and would occur a handful times a year (on Holidays). Now we have aerial fireworks going off almost every day and night, all year long, in my neighborhood of Ahuimanu. They are very loud, setting off car alarms, and some causing the house to shake. (It seems someone in my neighborhood has been making homemade fireworks, that sound more like bombs.) Every time the fireworks go off, it causes all the dogs in the neighborhood to start barking, no matter what the time. Fireworks go off at all hours of the night and day. Fireworks going off on a random Tuesday at 2am is a common occurrence.

My dog has become so terrified of the fireworks that she can cause physical damage to our belongings and the house if left unattended. She refuses to eat and visibly shakes for hours, and must be confined to a crate with a blanket covering it. The fireworks over the past two years have gotten so bad, and so frequent, that now my dog starts to get scared and anxious at dusk, simply because she knows the fireworks are coming.

The Fireworks have been disrupting my sleep, waking me up multiple times a night. Not good for my health. The only solution to the constant "BOOMs" of the fireworks, is to close all the windows and run the AC, in an attempt to block out the noise. Running the AC for this reason seems really silly when it's 60 degrees out in the winter time next to the Koolaus. But closing the windows and running the AC is the only way to get sleep and do my job the next day. But running the AC costs me extra \$\$ every night and is a waste since the natural weather is so pleasant most of the time. We run the AC more during the winter time, than we do during the hot summer, simply because of the fireworks.

It has gotten so bad that my Husband and I have talked about moving to the mainland simply because the Fireworks have been negatively affecting us so much. I want to continue to live in Hawaii, it's my home, my family is here. Please help put a stop to all the illegal fireworks going off in our communities. Thank you.

DAVID Y. IGE GOVERNOR

JOSH GREEN LIEUTENANT GOVERNOR



ANNE E. PERREIRA-EUSTAQUIO DIRECTOR

JOANN A. VIDINHAR DEPUTY DIRECTOR



# STATE OF HAWAII DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

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Phone: (808) 586-8844 / Fax: (808) 586-9099 Email: dlir.director@hawaii.go

February 3, 2022

The Honorable Aaron Ling Johanson, Chair Committee on Consumer Protection and Commerce House of Representatives State Capitol, Room 436 Honolulu, Hawaii 96813

Dear Chair Johanson:

Subject: House Bill (HB) 1695 Relating to Fireworks

I am Steven Goble, Chair of the Hawaii State Fire Council (SFC). The SFC supports HB 1695, which increases from \$2,000 to \$5,000 the maximum fine that may be assessed against certain fireworks-related violations.

There is a general sense that the use of illegal fireworks and improvised explosive devices have substantially increased in recent years. A search of youtube.com using the term "aerial fireworks Hawaii New Years" reveals pervasive use of illegal aerial fireworks in many neighborhoods. As a consequence, serious injuries, property damage, and fatalities have occurred.

The illegal fireworks task force established by Act 170, Session Laws of Hawaii 2010, recommended that the legislature consider increasing fireworks violation fines to deter the use of illegal fireworks. The general welfare, public safety, and property protection are priorities for the SFC and we respectfully request your committee's passage of HB 1695.

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

Sincerely,

STEVEN GOBLE

Chair

SG/GL

Mitchell D. Roth

Lee E. Lord
Managing Director



Kazuo S. K. L. Todd
Fire Chief

Eric H. Moller
Deputy Fire Chief



25 Aupuni Street • Suite 2501 • Hilo, Hawaiʻi 96720 (808) 932-2900 • Fax (808) 932-2928



February 3, 2022

The Honorable Aaron Ling Johanson, Chair Committee on Consumer Protection and Commerce House of Representatives State Capitol, Room 436 Honolulu, Hawaii 96813

Dear Chair Johanson:

Subject: House Bill (HB) 1695 Relating to Fireworks

I am Kazuo S. K. L. Todd, Fire Chief for the Hawai'i Fire Department. I support HB 1695, which increases from \$2,000 to \$5,000 the maximum fine that may be assessed against certain fireworks-related violations.

Illegal aerial fireworks and improvised explosive devices have substantially increased in recent years. As a consequence, serious injuries, property damage, and fatalities have occurred. Something needs to be done and I support the increase in fines that may be assessed against certain fireworks-related violations.

The illegal fireworks task force established by Act 170, Session Laws of Hawaii 2010, recommended that the legislature consider increasing fireworks violation fines to deter the use of illegal fireworks. The general welfare, public safety, and property protection are priorities for emergency services, and I respectfully request your committee's passage of HB 1695.

Should you have questions, please contact me at 808-932-2903 or kazuo.todd@hawaiicounty.gov

Sincerely,

KAZUO S. K. L. TODD

Fire Chief

Hawai'i Fire Department

KT:lk

#### HONOLULU FIRE DEPARTMENT

## CITY AND COUNTY OF HONOLULU



Phone: 808-723-7139

636 South Street Honolulu, Hawaii 96813-5007

Fax: 808-723-7111 Internet: www.honolulu.gov/hfd

RICK BLANGIARDI MAYOR



February 4, 2022

SHELDON K. HAO FIRE CHIEF

JASON SAMALA DEPUTY FIRE CHIEF

The Honorable Aaron Ling Johanson, Chair Committee on Consumer Protection and Commerce House of Representatives State Capitol, Room 436 Honolulu, Hawaii 96813

Dear Chair Johanson:

Subject: House Bill (HB) 1695 Relating to Fireworks

My name is Sheldon K. Hao, Fire Chief of the Honolulu Fire Department (HFD). The HFD supports HB 1695, which increases the maximum fine that may be assessed against certain fireworks-related violations from \$2,000 to \$5,000.

A search of aerial fireworks in Hawaii via a major video-sharing website reveals pervasive use of illegal aerial fireworks in many neighborhoods thereby confirming the use of illegal fireworks and improvised explosive devices have substantially increased in recent years. As a consequence, serious injuries, property damage, and fatalities have occurred.

The illegal fireworks task force established by Act 170, Session Laws of Hawaii 2010, recommended the legislature consider increasing fireworks violation fines to deter the use of illegal fireworks.

The general welfare, public safety, and property protection are priorities for the HFD, and we respectfully request your committee's passage of HB 1695.

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

Sincerely,

SHELDON K. HAO

Shelder K. How

Fire Chief

SKH/GL:cn



#### PEARL CITY NEIGHBORHOOD BOARD NO. 21 https://pearlcitynb.com/

NEIGHBORHOOD COMMISSION • 925 DILLINGHAM BLVD, SUITE 160 • HONOLULU, HAWAII, 96817 PHONE (808) 768-3710 • FAX (808) 768-3711 • <a href="http:///www.honolulu.gov/nco">http:///www.honolulu.gov/nco</a>

Chair Larry Veray, Vice-Chair Dion Mesta, Secretary Charmaine Doran, Treasurer Guy Inouye, Kuni Agard, Elayne Funakoshi, Jayden Liu, Lawrence Miyazono, Kelsey Poaha, Shanda Delos Reyes, Tony Velasco

RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL AND LEGISLATIVE REPRESENTATIVES TO REQUEST ASSISTANCE FROM THE FEDERAL GOVERNMENT TO EMPLOY THEIR RESOURCES TO STOP TONS OF ILLEGAL AERIAL FIREWORKS EXPLOSIVES BEING TRANSPORTED TO HAWAII

WHEREAS, several Hawaii residents have complained about illegal aerial fireworks that are negatively impacting their daily lives with bad actor neighbors and individuals launching low altitude extremely loud aerial bomb firework explosions at all hours of the day, all year around and primarily targeting neighborhoods late evenings while people are resting or at sleep, and

WHEREAS, bad actor individuals have modified illegal fireworks into Improvised Explosive Devices (IED) such as pipe bombs to create a much greater low altitude or ground extremely loud explosions which severely impacted the health and safety of the elderly in care homes, disabled Vets with PTSD, children and family pets with some running away from home and being hit by vehicles, and

WHEREAS, the State Legislature previously took action on illegal aerial fireworks with increasing fines and developing a task force in the year 2010 comprised of the Federal Government representatives from ATF, U.S Customs, U.S. Coast Guard, HPD, HFD and port facilities commercial shipping companies; however, this task force did not produce results or any interdiction of illegal fireworks at our port facilities due to the excuse of inspectors claiming there are too many containers to be inspected and the community perception of possible corruption with inspectors, and

WHEREAS, the Honolulu Police Department is overwhelmed with the number of 911 calls that come in all year round and especially for New Years celebrations but the current law requires police officers to actually witness bad actor neighbors and individuals lighting the fuse of illegal fire works before any citation can be initiated or any further City prosecution which is not realistic for arresting the bad actors, and

WHEREAS, the Federal Government such as ATF, FBI and Customs and Border Protection have the classified resources, technology and capabilities to identify, track, interdict and prosecute individuals involved in trans-national organized crime rings transporting and selling tons of explosive illegal aerial fireworks between China and the U.S., which support bad actor residents terrorizing Hawaii neighborhoods, and

WHEREAS, it is suspected by the community and others that the bulk of illegal fireworks are produced in Liuyang, China, transported to Shanghai where the product is loaded into shipping containers and onto Chinese cargo merchant vessels bound for Los Angeles where the product is suspect to be transited by ground to other destinations where the product is then placed into Trojan Horse non-declared explosive shipping containers disguised as high priority goods which are then shipped to major U.S. mainland cities and Hawaii, and

WHEREAS, the Federal Government agencies have the capability to track containers and those suspect containers could be inspected at Honolulu Ports by Federal Agents with trained sniffing dogs or technology devices previously used in the Middle East for detecting explosive material and IEDs, and

WHEREAS, deceptive shipping containers arrive in Hawaii, usually by October each year base on a spike in use of illegal aerial bomb fireworks and this material is temporary stored in commercial warehouses and neighborhood communities and it is only a matter of time where there could be a fireworks accident in this storage area blowing up a city block or residential neighborhood taking many lives of our residents, and

BE IT RESOLVED that the Pearl City Neighborhood Board is requesting our State Legislators and Congressional Representatives to request assistance from the Federal Government to employ their resources to stop illegal fireworks from entering Hawaii ports and to collect evidence for prosecution for all involved in the shipping and storage process to

include bad actor local government employees involved in the distribution of illegal fireworks that should be charged with Class "A" felonies and loss of retirement pensions, and

BE IT RESOLVED that the Pearl City Neighborhood Board requests the State Legislature to improve current illegal fireworks and explosive laws to increase fines and coordinate with the City and County of Honolulu and Judicial authority to develop a monetary reward amount to solicit information from residents on locations of storage of illegal fireworks in warehouses and residential areas to help mitigate this serious safety situation in our neighborhoods and commercial areas; and

BE IT FURTHER RESOLVED that the Pearl City Neighborhood Board requests that Hawaii District Court improve the timeliness for neighborhood residents to litigate potential law suits against bad actor neighbors and individuals to collect punitive damages for the terroristic loud explosions gravely impacting the health and safety of their families and pets with the use of eye witnesses reports coupled with video evidence, signed affidavits by neighbors and HPD police reports for each terroristic loud explosion event that will support the civil suit and possibly lead to criminal prosecution, and

BE IT FINALLY RESOLVED that copies of this Resolution be forwarded to Hawaii Congressional Representatives; Governor David Ige; Senator Clarence Nishihara; Senator Bennette E. Misalucha; Representative Gregg Takayama; Representative Roy Takumi; Mayor Rick Blangiardi Honolulu City Council, Bureau of Alcohol, Tabacco, Firearms and Explosives Honolulu Office; Federal Bureau of Investigation Honolulu Office; U.S. Customs and Border Protection Honolulu Office; Joint Interagency Task Force - West USINDOPACOM; and all Neighborhood Board Chairs.

The Pearl City Neighborhood Board No. 21 unanimously approved at its January 25, 2022 Regular Board meeting, by 10-0-0 vote.

Submitted By: Larry Veray, Chair

Jan A Very



#### **TESTIMONY OF**





# HOUSE OF REPRESENTATIVES TO THE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

## **MOST STRONGLY SUPPORT HB 1695**

#### RELATING TO FIREWORKS

February 3, 2022

Aloha, Chair Johanson, Vice Chair Lisa Kitagawa and Committee members. Thank you for allowing me the opportunity to provide testimony on HB 1695.

I am Chair for the Pearl City Neighborhood Board No. 21 representing our board and all our residents, families and pets negatively impacted by the random, all hours of the day, terroristic loud aerial fireworks explosions impacting our lives daily. Our board unanimously approved our resolution on fireworks at our January 25, 2022 Neighborhood Board meeting to include mitigation recommendations for our Congressional Representatives and State Legislators.

We support this bill increasing the fine for illegal fireworks use up to \$5,000 based on the seriousness of the offense. We also understand this bill is meaningless unless there is evidence provided by the community or gathered by the Honolulu Police Department to lead to a prosecution of bad actors and fined appropriately.

I most strongly urge you to support and approve HB 1695 coupled with the above recommended language for this bill. We are with you! Mahalo!

Very respectfully,

Larry S. Veray

MICHAEL P. VICTORINO
Mayor

BRADFORD K. VENTURA
Fire Chief

GAVIN L.M. FUJIOKA
Deputy Fire Chief





#### **DEPARTMENT OF FIRE & PUBLIC SAFETY**

COUNTY OF MAUI 200 DAIRY ROAD KAHULUI, HI 96732

February 4, 2022



The Honorable Aaron Ling Johanson, Chair Committee on Consumer Protection and Commerce House of Representatives State Capitol, Room 436 Honolulu, Hawaii 96813

Dear Chair Johanson:

## SUBJECT: HOUSE BILL (HB) 1695 RELATING TO FIREWORKS

I am Bradford Ventura, member of the Hawaii State Fire Council (SFC) and Fire Chief of the Maui Fire Department (MFD). The SFC supports HB 1695, which increases from \$2,000 to \$5,000 the maximum fine that may be assessed against certain fireworks-related violations.

There is a general sense that the use of illegal fireworks and improvised explosive devices have substantially increased in recent years. A search of youtube.com using the term "aerial fireworks Hawaii New Years" reveals pervasive use of illegal aerial fireworks in many neighborhoods. As a consequence, serious injuries, property damage, and fatalities have occurred.

The illegal fireworks task force established by Act 170, Session Laws of Hawaii 2010, recommended that the legislature consider increasing fireworks violation fines to deter the use of illegal fireworks. The general welfare, public safety, and property protection are priorities for the SFC and we respectfully request your committee's passage of HB 1695.

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

Sincerely,

BRADFORD K. VENTURA

Fire Chief







Testimony by Alicia Maluafiti, Board President Poi Dogs & Popoki In strong support of HB 1695 - Relating to Fireworks House Committee on Consumer Protection & Commerce Friday, February 4, 2022, 2 pm – via Zoom

Aloha Chair Johanson and members of the Committee,

Poi Dogs & Popoki (PDP) is a nonprofit animal welfare organization with a mission to help people and their pets. We are in strong support of HB 1695 which would increase the fine for fireworks violations.

We believe it will make violators think twice about whether to use illegal fireworks. The current fine is a drop in the bucket when buyers spend thousands for mortars, bombs, and other illegal aerials. Many of us know WHERE the illegals are originating from (our neighbors' properties). They start in Ewa Beach in early October. It used to be Halloween. By Thanksgiving Day, it's a daily occurrence, and next to New Year's Eve, its one of the worst days. Since New Years, bombs still go off because of football games and on Super Bowl Sunday, they will go off till midnight. Add in MMA fights, or a win at Campbell High School, and there is practically no end to the number of illegals blowing up in my community.

It is difficult for people to grasp the fear and stress that some animals experience due to fireworks. Unless you are seeing it first-hand, you will fail to understand the chaos it causes in the lives of our animals and their owners. This year, I filed 3 police reports and agreed to testify against my neighbors for illegal fireworks, but I called 911 more than 10 times. One officer complained immediately about having to respond blaming the fireworks ban on the proliferation of illegals. A ridiculous excuse to avoid doing his job.

It's time for violators to pay the consequences for poor decisions. And increasing the fine would be another tool to discourage illegal fireworks use. Entertainment does NOT trump quality of life. Please pass HB 1695.

Submitted on: 2/4/2022 11:28:23 AM Testimony for CPC on 2/4/2022 2:00:00 PM



<b>Submitted By</b>	Organization	<b>Testifier Position</b>	Requested
Mike Moran	Kihei Community Association	Support	No

### Comments:

We support this action as we need to get this situation under control. Mahalo



# COMMITTEE ON CONSUMER PROTECTION & COMMERCE HEARING – FRIDAY, FEBRUARY 4, 2022

To: Rep. Johanson, Chair

and the Committee on Consumer Protection and Commerce

Fr: Maureen Andrade, 70 year resident of Waipahu

<u>Subject: Testimony on all 7 fireworks bills (HBs1695, 1696, 2502, 1969, 2273, 2275 and 1604)</u>

Aloha Chair Johanson and members of the CPC Committee. My name is Maureen Andrade. I have been a resident of Waipahu for 70 years and during my younger years fireworks were a way to bring in the new year..."firecrackers, sparklers" and it was enjoyable.

Today, every single one of us have witnessed an alarming amount of illegal fireworks... explosives, canister type bombs, homemade bombs and aerials, jumping jacks etc. None of these are LEGAL right? None of these are done for "religious purposes" right?

I am the president of the Village Park Community Association, a little more 1800 homes. For more than 2 years now, every single night, we have been terrorized by very loud explosives, bombs and aerials. It starts at 6:30 pm into the late night and sometimes 1:00 – 3:00 am. We have not had a quiet night at all. I know that we are not the only community that are experiencing this, so in short...

I am in support of all the bills listed on this agenda, I just pray that one of them will find its way to the floor and gets the votes we need...

Mahalo for you time,

Maureen (mo) Andrade 808-386-5623 94-686 Kahue Place Waipahu, HI 96797 email: andrade\_maulena@yahoo.com

Submitted on: 2/4/2022 12:19:42 AM Testimony for CPC on 2/4/2022 2:00:00 PM



<b>Submitted By</b>	Organization	<b>Testifier Position</b>	Requested
Samuel Mitchell	Individual	Support	No

#### Comments:

Support HB1695 that raises illegal firework use fine

Sam Mitchell Makiki NB-10

Submitted on: 2/4/2022 8:32:46 AM Testimony for CPC on 2/4/2022 2:00:00 PM



<b>Submitted By</b>	Organization	<b>Testifier Position</b>	Remote Testimony Requested
Cory Chun	Individual	Support	No

#### Comments:

Aloha Chair Johanson, Vice Chair Matayoshi, and members,

I am testifying in support of the HB 1695, and generally any legisaltion that would curb the use of illegal fireworks. As a Waipahu resident it is clear that current regulations around fireworks are not working. Every year loud explosions begin occuring as early as October and into Thanksgiving and the holiday season in December leading up towards New Year's Day. The problem has gotten worse and fireworks become more common aroung major sporting events such as boxing and MMA events, UH football games, and the NFL playoffs. Last week during the divisional NFL championships fireworks were set off after every touchdown. It is becoming unbearable. I want to thank Representative Aquino for introducing this bill to nring our quality of life to our neighborhoods and also relief to our pets that suffer severly from fireworks.

Mahalo