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# A BILL FOR AN ACT

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RELATING TO FIREWORKS.

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

1       SECTION 1. The legislature finds that the use of consumer  
2 fireworks causes fires and burn injuries. Fireworks are an  
3 ignition source for fires in Hawaii. Fireworks also produce  
4 excessive smoke that makes breathing difficult. Noise from loud  
5 fireworks traumatizes many residents, including war veterans, as  
6 well as pets. With the increase in fireworks-related calls,  
7 public safety agencies are strained to maintain adequate  
8 response levels for critical emergencies. The legislature  
9 further finds that people in the State and its communities  
10 deserve to live in peace and security without the public safety  
11 risk and disruptive impact of consumer fireworks.

12       The purpose of this Act is to limit the use of consumer  
13 fireworks by:

- 14       (1) Authorizing the use of consumer fireworks only for  
15       cultural purposes;



(2) Discontinuing the authorization of the use of consumer fireworks on New Year's Eve, the Fourth of July, and Chinese New Year's Day; and

(3) Specifying that no fireworks shall be sold to a permittee holding a permit issued for purposes of a cultural use more than five calendar days before the applicable cultural use.

This Act is not intended to prohibit licensed professionals' use of display fireworks, articles pyrotechnic, or aerial devices.

SECTION 2. Section 132D-2, Hawaii Revised Statutes, is amended by amending the definitions of "consumer fireworks" and "cultural" to read:

"Consumer fireworks" [~~means~~];

(1) Means any fireworks that upon ignition, discharge, or otherwise being set off, produce visible or audible effects and that remain on or near the ground and, while stationary or spinning rapidly on or near the ground, emit smoke, a shower of colored sparks, whistling effects, flutter sparks, or balls of colored sparks, and includes combination items that produce



1           one or more of these effects.  Alternatively,  
2           "consumer fireworks" may include but is not limited to  
3           any firework that complies with the construction,  
4           chemical composition, and labeling regulations of the  
5           United States Consumer Product Safety Commission as  
6           set forth in title 16 Code of Federal Regulations and  
7           fireworks classified as UN0336 and UN0337 by the  
8           United States Department of Transportation as set  
9           forth in title 49 Code of Federal Regulations[  
10          ~~"Consumer fireworks" may include but need not be~~  
11          ~~limited to~~]; and

- 12          (2)   Includes firework items commonly known as firecrackers  
13           that are single paper cylinders not exceeding one and  
14           one-half inches in length excluding the fuse and  
15           one-quarter of an inch in diameter, snakes, sparklers,  
16           fountains, and cylindrical or cone fountains that emit  
17           effects up to a height no greater than twelve feet  
18           above the ground, illuminating torches, bamboo  
19           cannons, whistles, toy smoke devices, wheels, and  
20           ground spinners that when ignited remain within a  
21           circle with a radius of twelve feet as measured from



1 the point where the item was placed and ignited,  
2 novelty or trick items, combination items, and other  
3 fireworks of like construction that are designed to  
4 produce the same or similar effects.

5 "Cultural" means relating to the arts, customs, traditions,  
6 mores, and history of ~~[all-of]~~ the various ethnic groups of  
7 Hawaii."

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

10 "~~§132D-3 [Permissible uses]~~ Use of consumer fireworks~~[-];~~  
11 prohibited, except for cultural use. ~~[Consumer fireworks may~~  
12 ~~be]~~ It shall be unlawful for any person to set off, [ignited,  
13 ~~discharged,]~~ ignite, discharge, or otherwise [caused] cause to  
14 explode any consumer fireworks within the State ~~[only;~~

15 ~~(1) From 9:00 p.m. on New Year's Eve to 1:00 a.m. on New~~  
16 ~~Year's Day; from 7:00 a.m. to 7:00 p.m. on Chinese New~~  
17 ~~Year's Day; and from 1:00 p.m. to 9:00 p.m. on the~~  
18 ~~Fourth of July; or~~

19 ~~(2) From]~~  
20 except for cultural use from 9:00 a.m. to 9:00 p.m. as allowed  
21 by permit pursuant to section 132D-10 ~~[if the proposed cultural~~



1 ~~use is to occur at any time other than during the periods~~  
2 ~~prescribed in paragraph (1)]~~; provided that the purchase of not  
3 more than five thousand individual consumer fireworks commonly  
4 known as firecrackers shall be allowed under each permit."

5 SECTION 4. Section 132D-5, Hawaii Revised Statutes, is  
6 amended by amending subsection (a) to read as follows:

7 "(a) ~~[It]~~ In addition to the prohibition under section  
8 132D-3, it shall be unlawful for any person to:

9 (1) Throw, catapult, or otherwise manually propel any  
10 ignited aerial devices, articles pyrotechnic, consumer  
11 fireworks, or display fireworks:

12 (A) From, at, or into a vehicle;

13 (B) At a person or an animal; or

14 (C) From above the first floor of any building; or

15 (2) Set off, ignite, discharge, or otherwise cause to  
16 explode any aerial devices, articles pyrotechnic,  
17 consumer fireworks, or display fireworks:

18 (A) From above the first floor of any building;

19 (B) In any vehicle; or

20 (C) In any building; provided that firecrackers shall  
21 be permitted if used in accordance with sections



1                   132D-3 and 132D-10 and all other applicable state  
2                   and county laws, ordinances, and rules."

3           SECTION 5. Section 132D-8, Hawaii Revised Statutes, is  
4 amended by amending subsection (d) to read as follows:

5           "(d) It shall be unlawful for any licensee, other than a  
6 licensed wholesaler who is distributing fireworks or articles  
7 pyrotechnic to a licensed retailer pursuant to the person's  
8 license, to distribute any fireworks or articles pyrotechnic at  
9 any time to any person who does not present a permit duly issued  
10 as required by sections 132D-10 and 132D-16. The permit shall  
11 be signed by the seller or transferor at the time of  
12 distribution of the fireworks or articles pyrotechnic, and the  
13 seller or transferor shall indicate on the permit the amount and  
14 type of fireworks or articles pyrotechnic distributed. No  
15 person shall distribute fireworks to any permittee in any amount  
16 in excess of the amount specified in the permit, less the amount  
17 shown on the permit to have been previously purchased; provided  
18 that no fireworks shall be sold to a permittee holding a permit  
19 issued for purposes of section 132D-3, more than five calendar  
20 days before the applicable [~~time period under section 132D-3.~~]  
21 cultural use."



SECTION 6. Section 132D-10, Hawaii Revised Statutes, is amended by amending its title and subsection (a) to read as follows:

**"§132D-10 Permits~~[-]~~ for purchase and use of fireworks.**

(a) A permit shall be required for the purchase and use of:

(1) Any consumer fireworks [~~commonly known as firecrackers upon payment of a fee of~~] for cultural use, the fee for which shall be \$25~~[+]~~ per permit; and

(2) Any aerial devices, articles pyrotechnic, or display fireworks for the purposes of section 132D-16 [~~upon payment of a fee of~~], the fee for which shall be \$110~~[+]~~ and

~~(3) Any consumer fireworks for cultural uses that occur at any time other than during the periods prescribed in section 132D-3(1) upon a payment of a fee of \$25]."~~

SECTION 7. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

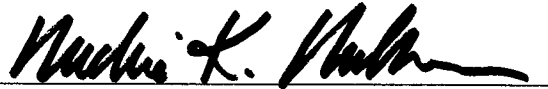
SECTION 8. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.



1 SECTION 9. This Act shall take effect upon its approval.

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INTRODUCED BY:



By Request

JAN 23 2026





# H.B. NO. 2112

**Report Title:**

State Fire Council Package; Consumer Fireworks

**Description:**

Prohibits the use of consumer fireworks except, by permit, for cultural use. Repeals portions of section 132D-3(1), HRS, that generally allow the use of consumer fireworks without a permit on New Year's Eve, New Year's Day, and the Fourth of July. Specifies that no fireworks shall be sold to a permittee holding a permit issued for purposes of cultural use more than 5 calendar days before the applicable cultural use. Makes technical amendments to definitions of "consumer fireworks" and "cultural" within fireworks law.

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

