

A Bill for an Act Relating to Fireworks.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 132D-20, Hawaii Revised Statutes, is amended to read as follows:

“§132D-20 Enforcement; probable cause for arrest. (a) This chapter shall be enforced by the department of law enforcement or each county. The department of law enforcement and counties, or both, are authorized to enforce and administer the provisions of this chapter.

(b) Arrests for offenses under this chapter or under a county fireworks ordinance shall be made in compliance with chapter 803. The facts and circumstances to establish probable cause for an arrest may include but are not limited to:

- (1) Statements from individuals who witnessed the offense, even if those individuals are not law enforcement officers; and
- (2) Photographs, video recordings, or other recordings that show the commission of the offense and can be authenticated by one or more witnesses; provided that a recording made using an unmanned aerial vehicle shall be exempt from the requirement of authentication by one or more witnesses.

(c) Video recordings or other recordings made by a law enforcement agency using, controlling, or operating an unmanned aerial vehicle may be used to establish probable cause pursuant to chapter 803 for an arrest if:

- (1) The unmanned aerial vehicle is recording directly above a public park, street, sidewalk, or easement, or any public property; and
- (2) The act leading to the arrest is committed on a public park, street, sidewalk, or easement, or any public property.

(d) For the purposes of this ~~[subsection:]~~ section:

“Other recording” includes any photograph or a video made using an unmanned aerial vehicle.

“Unmanned aerial vehicle” means any aerial vehicle that is operated without the possibility of direct human intervention within or on the aerial vehicle. ~~[The term “unmanned”]~~ “Unmanned aerial vehicle” does not include a remote-controlled airplane.”

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved June 30, 2025.)