



GOV. MSG. NO. 672

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

April 25, 2008

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fourth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on April 25, 2008, the following bill was signed into law:

HB2436 HD2 SD2

A BILL FOR AN ACT RELATING TO FIREWORKS.
(ACT 38)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

A BILL FOR AN ACT

RELATING TO FIREWORKS.

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

1 SECTION 1. Section 132D-2, Hawaii Revised Statutes, is
2 amended by amending the definition of "display fireworks" to
3 read as follows:
4 "Display fireworks" means any fireworks designed primarily
5 for exhibition display by producing visible or audible effects
6 and classified as display fireworks or contained in the
7 regulations of the United States Department of Transportation
8 and designated as UN0333, UN0334, or UN0335, and includes
9 salutes containing more than two grains (one hundred and thirty
10 milligrams) of explosive materials, aerial shells containing
11 more than forty grams of pyrotechnic compositions, and other
12 display pieces which exceed the limits of explosive materials
13 for classification as "consumer fireworks". This term also
14 includes fused setpieces containing components, which together
15 exceed fifty milligrams of salute power. The use of display
16 fireworks shall be prohibited for use by any person who does not
17 have a display permit issued by a county."



1 SECTION 2. Section 132D-5, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) It shall be unlawful for any person without a permit
4 issued under section 132D-10 by a county fire department to:

5 (1) Remove or extract the pyrotechnic contents from any
6 fireworks;

7 (2) Throw any ignited fireworks [~~from a moving vehicle,~~
8 ~~or~~]:

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

10 (B) At a person or an animal; and

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

12 or

13 (3) Set off, ignite, discharge, or otherwise cause to
14 explode any fireworks:

15 (A) Above the first floor of any building;

16 (B) In any vehicle;

17 [+A+] (C) At any time not within the periods for use
18 prescribed in section 132D-3 [~~, unless permitted~~
19 ~~pursuant to section 132D-10~~];

20 [+B+] (D) Within one thousand feet [~~from~~] of any operating
21 hospital, licensed convalescent home, licensed



- 1 home for the elderly, zoo, licensed animal
2 shelter, or licensed animal hospital;
- 3 ~~[(C)]~~ (E) In any school building, or on any school grounds
4 and yards without first obtaining authorization
5 from appropriate school officials;
- 6 ~~[(D)]~~ (F) On any highway, alley, street, sidewalk, or other
7 public way; in any park; on any public beach; in
8 any officially designated forest or wildlife
9 preserve; within fifty feet [~~from~~] of a
10 canefield; or within one thousand feet [~~from~~] of
11 any building used for public worship during the
12 periods when services are held; [~~except as may be~~
13 permitted pursuant to section 132D-10,] and
- 14 ~~[(E)]~~ (G) Within five hundred feet [~~from~~] of any hotel."

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

17 **"§132D-10 Permits.** A permit shall be required for the
18 purchase and use of:

- 19 (1) Any consumer fireworks commonly known as firecrackers
20 upon payment of a fee of \$25; [~~and~~]



1 (2) Any aerial devices, display fireworks, or articles
2 pyrotechnic for the purposes of section 132D-16 upon
3 payment of a fee of \$110[-]; and

4 (3) Any consumer fireworks for the purposes of section
5 132D-5 or for cultural uses that occur at any time
6 other than during the periods prescribed in section
7 132D-3(1) upon a payment of a fee of \$25."

8 SECTION 4. Section 132D-12, Hawaii Revised Statutes, is
9 amended to read as follows:

10 **"§132D-12 Sale to minors[-]; sale by minors; prohibited.**

11 It shall be unlawful for any person to offer for sale, sell, or
12 give any fireworks or articles pyrotechnic to minors, and for
13 any minor to possess, purchase, sell, or set off, ignite, or
14 otherwise cause to explode any fireworks or articles
15 pyrotechnic, except as provided in section 132D-13."

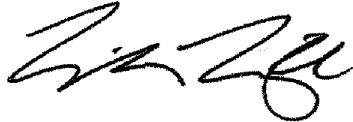
16 SECTION 5. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

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



H.B. NO. 2436
H.D. 2
S.D. 2

APPROVED this 25 day of APR, 2008



GOVERNOR OF THE STATE OF HAWAII