

BILL022(24)
Testimony

MISC. COMM. 424

PUBLIC SAFETY (PS)

PUBLIC SAFETY (PS) Meeting

Meeting Date: Sep 26, 2024 @ 01:00 PM

Support: 14

Oppose: 0

I wish to comment: 0

Name: Tyson Yamada	Email: tyson.southern@gmail.com	Zip: 96825
Representing: Self	Position: Support	Submitted: Sep 20, 2024 @ 04:51 PM
Testimony: Bill 22 (2024) Support Allowing the sale and use of sparklers and fountains would likely lead to a surge in consumer demand, particularly around major celebrations like the Fourth of July and New Year's Eve. Local businesses, including fireworks vendors and general retailers, would benefit from the increased sales, contributing to local economic growth. The sale of legalized fireworks can generate significant tax revenues. These taxes can be levied on sales, licenses, and permits associated with fireworks. This revenue can be used to fund public services, infrastructure projects, or even community safety programs related to fireworks usage.		
Name: Jodi Nakama	Email: jodi1269@yahoo.com	Zip: 96701
Representing: Self	Position: Support	Submitted: Sep 24, 2024 @ 10:09 AM
Name: Tad Trout	Email: anakama@wik.com	Zip: 96813
Representing: TNT Fireworks	Position: Support	Submitted: Sep 24, 2024 @ 10:51 AM
Name: Tina Yamaki	Email: tyamaki@rmhawaii.org	Zip: 96816
Representing: Retail Merchants of Hawaii	Position: Support	Submitted: Sep 24, 2024 @ 11:26 AM
Name: Senator David Gowan	Email: dgowan@azleg.gov	Zip: 85007
Representing: Self	Position: Support	Submitted: Sep 24, 2024 @ 12:41 PM
Name: Germaine Okino	Email: gokino@gmail.com	Zip: 96797
Representing: Self	Position: Support	Submitted: Sep 24, 2024 @ 03:51 PM

Name: Cori Weston	Email: cori.weston@gmail.com	Zip: 96825
Representing: Self	Position: Support	Submitted: Sep 25, 2024 @ 07:55 AM
Testimony: Aloha Chair Okimoto, Vice Chair Tulba and members of the Committee: I am writing in strong support of Bill 22 which amends the Fire Code to permit the sale and use of ground based consumer fireworks. Honolulu's ban on consumer fireworks has the unintended consequence of driving people to the black market to purchase illegal aerials which are a safety risk to our community. Bill 22 offers a safe alternative. Many of us have wonderful memories of celebrating New Year's Eve and July 4 with consumer fireworks and sparklers. These products are safe, non aerial and not loud. This tradition makes Hawaii ever so special and safe entertainment for family gatherings. Bill 22 provides a reasonable and safe alternative for families to continue the tradition of celebrating holidays with safe fireworks as well as be respectful of their neighbors and is not a danger to health or property. Mahalo for the opportunity to offer comments in support of Bill 22. I ask for your favorable consideration in passing this Bill.		
Name: Jeffrey Weston	Email: jeffrey.weston1@gmail.com	Zip: 96825
Representing: Self	Position: Support	Submitted: Sep 25, 2024 @ 08:40 AM
Testimony: Aloha Vice Chair Okimoto, Vice Chair Tulba and Committee Members, This is submitted in strong support of Bill 22 which amends the Fire Code to permit the sale and use of ground based consumer fireworks. Honolulu's ban on consumer fireworks has had the unintended consequences of local people going to the black market to purchase illegal aerials which are a safety risk to our community. Bill 22 offers a safe alternative. My family and friends miss the fun we had with the small consumer fireworks and sparklers for New Year's Eve and July 4 gatherings. They are non aerial, safe, do not create significant noise or smoke and are not a threat to public health nor do they create a fire risk. The consumer fireworks and sparklers make Hawaii special and are a long standing local tradition that we should not lose. Bill 22 provides a reasonable and safe alternative for families to continue the tradition of bringing in good luck in the New		

Year.

I ask for your favorable consideration in passing this Bill. Thank you for the opportunity to submit my comments.

Name: Jamie Johnston	Email: jamielumjohnston@gmail.com	Zip: 96797
Representing: Self	Position: Support	Submitted: Sep 25, 2024 @ 09:23 AM

Testimony:

Councilmember Val A. Okimoto, Chair

Councilmember Augie Tulba, Vice Chair

Committee on Public Safety

RE: Bill 22 Relating to the Fire Code – In Support

Aloha Chair Okimoto, Vice Chair Tulba and members of the Committee:

My name is Jamie Johnston, and I am writing in strong support of Bill 22, which seeks to amend the Fire Code to allow the sale and use of ground-based consumer fireworks while maintaining the prohibition on aerial fireworks.

Growing up, I cherished the tradition of celebrating New Year’s Eve and the 4th of July with family potlucks, enjoying sparklers, ground spinners, and fountains. These experiences brought so much joy, and I want my children to have the same opportunities to create these lasting memories.

Since Honolulu's ban on consumer fireworks, there has been a noticeable increase in the use of illegal aerial fireworks. Unfortunately, this ban has driven many to the black market, where illegal aerial fireworks, which pose significant health and safety risks, have become more prevalent.

Bill 22 provides a safer alternative, giving people the option to legally purchase ground-based fireworks while helping to generate revenue through permits and taxes.

For these reasons, I respectfully urge you to pass Bill 22. Thank you for the opportunity to submit testimony in support.

Sincerely,

Jamie Johnston

94-211 Lumiaina Place

Waipahu, HI 96797		
Name:	Email:	Zip:
Chad Sakagawa	Chad.Sakagawa@gmail.com	96818
Representing:	Position:	Submitted:
Self	Support	Sep 25, 2024 @ 11:49 AM
Testimony: Aloha Chair Okimoto, Vice Chair Tulba, and members of the Committee: My name is Chad Sakagawa, and as a parent and resident, I wish to express my strong support for Bill 22 which seeks to permit the sale and use of ground-based fireworks such as sparklers and fountains. While I can enjoy and create lasting memories with my little girl on the neighbor-islands, it is illegal here on Oahu. Bill 22 is a common-sense approach that prioritizes safety while allowing families to celebrate together. Thank you for allowing me to testify in support. Chad		
Name:	Email:	Zip:
Daniel Peart	dpeart@fireworks.com	96734-1668
Representing:	Position:	Submitted:
Phantom Fireworks	Support	Sep 25, 2024 @ 12:14 PM
Name:	Email:	Zip:
Asa Iwasa	iwasajunk@mail.com	96825
Representing:	Position:	Submitted:
Self	Support	Sep 25, 2024 @ 04:59 PM
Testimony: I support having fireworks again, because it is a relatively non-dangerous activity and has always been a good childhood memory of mine.		
Name:	Email:	Zip:
Natalie Iwasa	iwasajunk@mail.com	96825
Representing:	Position:	Submitted:
Self	Support	Sep 25, 2024 @ 09:19 PM
Name:	Email:	Zip:
Zade Lee	zadezilla08@gmail.com	96789

Representing: Self	Position: Support	Submitted: Sep 26, 2024 @ 11:53 AM
Testimony: My name is Zade Lee and I am a student at Mililani High School. I am writing in strong support of Bill 22, Relating to the Fire Code. I am Chinese-American, and small fireworks have been a part of my cultural celebrations for my entire life. I was born in the year of the golden pig, and my family taught me that fireworks would bring me luck and prosperity for my life. Because of the ban on fireworks in the City and County of Honolulu, I travel to Hilo to play fireworks with my family there, where it is legal to do so. It is my hope that small fireworks are eventually permitted here on Oahu so that I can enjoy them with my family here on Oahu on Chinese New Year. Oahu is the only County in the State where it is illegal to play with small fireworks. But people buy illegal, dangerous, loud fireworks and use them here at all times. Maybe if small fireworks were made legal, less people would use the illegal, dangerous, loud ones. Thank you very much for your consideration of this bill. Please consider my request.		

Councilmember Val Okimoto, Chair
Councilmember Augie Tulba, Vice Chair
Committee on Public Safety

RE: Bill 22 Relating to the Fire Code – In Support
Thursday, September 26, 2024; 1:00 p.m.

Aloha Chair Okimoto, Vice Chair Tulba and members of the Committee:

Thank you for the opportunity to submit testimony in strong support of this measure. My name is Jodi Nakama and I respectfully ask that you pass Bill 22, which amends the Fire Code to allow the sale and use of ground-based consumer fireworks.

Growing up in Hawaii, I have cherished memories of celebrating numerous holidays with family and friends, and always looked forward to playing with fireworks such as fountains, ground spinners and sparklers. I have three children and would like them to have the same experience.

The current ban on consumer fireworks has led to a significant increase in illegal aerial fireworks, which have greater health and safety risks. Bill 22 offers a safer alternative.

My friends and family urge you to pass Bill 22 and allow families in the City & County of Honolulu to continue tradition while preserving public health and safety.

Mahalo,

Jodi Nakama



September 26, 2024

Councilmember Val Okimoto, Chair
Councilmember Augie Tulba, Vice Chair
Committee on Public Safety

RE: BILL 22 (2024) Relating to the Fire Code
Thursday, September 26, 2024 at 1:00 PM

Aloha Chair Okimoto, Vice Chair Tulba, and Members of the committee:

Thank you for allowing TNT Fireworks (TNT) to submit testimony in **STRONG SUPPORT** of Bill 22 – Relating to the Fire Code. TNT is the largest distributor of fireworks in the U.S. and an importer and seller of legal and safe consumer fireworks in Hawaii. TNT has had a presence in Hawaii for over 50 years and we partner with retail partners such as Longs Drugs, Marukai, Don Quijote, Costco, Foodland, Malama Market, Food Pantry, Times Supermarkets and many others.

Bill 22 seeks to amend the state Fire Code to permit consumer fireworks such as fountains and sparklers while keeping aerial fireworks unlawful. The proliferation of illegal aerial devices is at an all-time high and legislative efforts aimed at strengthening enforcement and penalties for the use of illegal aerial devices have not proved successful. In the absence of an alternative, the proliferation of black-market access will only continue.

In 2010, the Honolulu City Council banned consumer fireworks except for 5,000 firecrackers with a \$25 permit. The unintended consequence of this action was an inadvertent surge in black market activities as consumers sought alternative sources for consumer fireworks.

The City and County of Honolulu is the only county in the state that prohibits consumer fireworks and, not a surprise, has the undesirable outcome with illegal aeriels lighting up Honolulu skies on New Years Eve. County of Maui, County of Hawaii, and County of Kauai allow the sale and use of consumer fireworks which Bill 22 proposes to align. Additionally, this measure allows firecracker permits to be sold at licensed retail locations the same time firecrackers are bought and sold relieving staffing and enforcement resources at the Honolulu Fire Department and Satellite City Halls.

Instead of driving consumers to the black market, a safer alternative should be available. New York, New Jersey, Arizona, Delaware and others have modified their ban on consumer fireworks and allow the sale of consumer fireworks such as fountains and ground

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spinners, which produce significantly less smoke and noise. Currently, fireworks are allowed in 49 states plus the District of Columbia and Puerto Rico.

Hawaii consumers are enamored with fireworks and have a long cultural history of fireworks being an integral part of New Years and July 4th family celebrations.

Thank you for the opportunity to testify on this measure and we look forward to working with all interested stakeholders to address this issue of reducing illegal aerals in our communities while providing a safer alternative to celebrate.

Brian Trim, Vice President

Enclosure



The City & County of HONOLULU

Legal Consumer Fireworks

Cylindrical Fountain

Upon ignition, a shower of colored sparks, and sometimes a whistling effect, is produced.



Cone Fountain

Upon ignition, a shower of colored sparks, and sometimes a whistling effect, is produced.



Smoke Devices

Tube or sphere containing pyrotechnic composition that, upon ignition, produces a white or colored smoke as a primary effect.



Wheels

Pyrotechnic device attached to a post or tree by means of a nail or string. A wheel may contain up to six "driver" units; upon ignition, the wheel revolves, producing a shower of color and sparks and, sometimes, a whistling effect.



Mine / Cakes

Mine – A device that shoots stars in an upward spray pattern.

Cake – Dense-packed collection of mine tubes that are fused together.



Ground Spinners

A small device similar to a wheel in design and effect. When placed on the ground and ignited, a shower of sparks and color is produced by the rapidly spinning device.



Dipped Stick, Sparkler

Stick or wire coated with pyrotechnic composition that produces a shower of sparks upon ignition. Total pyrotechnic composition not to exceed 100 grams per item.



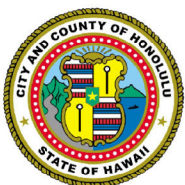
Firecrackers

Generally 1/4" x 1 1/2" or less that come in packs to large bricks. A firecracker makes a single "pop" sound. Many firecrackers strung together will make repetitive "popping" sounds.



Novelties

"Trick and Novelty Devices" means any small firework device not classified as a Consumer of Display Firework. Items contain a small amount of pyrotechnic composition that is friction sensitive.



Celebrate Safely with Legal Consumer Fireworks





The City & County of HONOLULU

ILLEGAL FIREWORKS

Sky Rockets and Missiles

Similar to the Bottle Rocket, a Sky Rocket is attached to a stick or has fins and may have a plastic cap. A missile will have fins rather than a stick. Once lit, it ascends rapidly, high into the air where it explodes.



Bottle Rockets

A firecracker type (tube) attached to a 12" long wooden stick. The stick is placed in a bottle and once lit, it rises into the air, travelling laterally before exploding.



Reloadable Mortars

A shell consisting of a container, a lift charge, a time fuse, a burst charge, and stars/effects. The lift charge propels the shell out of the tube igniting the burst charge at the right altitude, igniting the effects.



Helicopters, Aerial Spinners

A propeller or blade is attached, which, upon ignition, lifts the rapidly spinning device into the air. A visible or audible effect is produced at the height of flight.



Roman Candles

Heavy paper or cardboard tube containing pyrotechnic composition. Upon ignition, up to ten "stars" are individually expelled at several-second intervals.



Parachutes

Upon ignition, one or more parachutes are propelled into the air with stars, smoke, and other effects being discharged as the parachute floats downward.

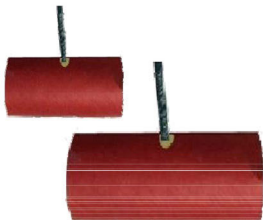


ILLEGAL EXPLOSIVE DEVICES

THE POSSESSION, MANUFACTURING, OR USE OF ILLEGAL EXPLOSIVE DEVICES is a criminal offence.

M-80's, M-100's, etc.

Illegal since the 70's, an M-80 can contain flash powder, black powder, or a composition of materials that are sensitive to shock and can injure or kill people. Can do serious permanent damage to fingers, hands, and eyes.



Improvised Explosive Device (IED)

A pipe bomb is an improvised explosive device, consisting of a tightly sealed section of pipe that is filled with an explosive material. The pipe provides containment, meaning that a low explosive can be used to produce a relatively large explosion.

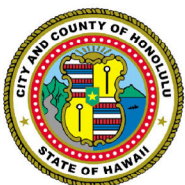
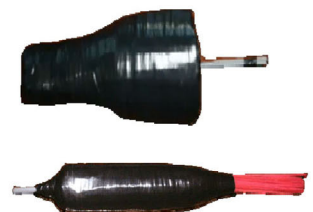


A tennis ball bomb is an improvised explosive device consisting of a tennis ball filled with combustibles or pyrotechnic material with a fuse producing a loud explosion.



Altered Firework

Sparklers are bound together in electrical or duct tape to contain the ignition of the sparklers, providing for a loud "whoomp" sound with a flash of light.



Celebrate Safely with Legal Consumer Fireworks





**TESTIMONY OF TINA YAMAKI, PRESIDENT
RETAIL MERCHANTS OF HAWAII**

September 26, 2024

Re: BILL 22 (2024) – RELATING TO THE FIRE CODE

Aloha, Chair Okimoto and members of the Honolulu City Council's Public Safety Committee. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii, established in 1901, is a statewide nonprofit trade organization committed to fostering the growth and development of Hawaii's retail sector. Our diverse membership encompasses small mom-and-pop stores, large box stores, resellers, luxury retailers, department stores, shopping malls, online sellers, and local, national, and international chains.

We strongly support Bill 22 (2024), which seeks to amend the state Fire Code to permit consumer fireworks such as fountains and sparklers while continuing to maintaining the ban on illegal aerals, bomb type fireworks.

The City and County of Honolulu is the only county that has banned consumer fireworks that include fountains and sparklers. We are NOT talking about illegal aerals, bombs and other types of fireworks as that is not what this measure is addressing.

Firecrackers hold profound cultural significance, especially within the Chinese, Japanese, and Filipino communities in Hawaii. They are an integral part of celebrations such as Chinese New Year, New Year's Eve, and other traditional festivals, symbolizing the warding off evil spirits and the ushering in of good luck and happiness. These celebrations are essential for preserving our rich cultural heritage and fostering a sense of community.

The use of firecrackers during festivals and holidays brings people together. Families, friends, and neighbors gather to celebrate, creating lasting memories and strengthening community bonds. These shared experiences are vital for maintaining the unique spirit of aloha that defines our state. Allowing retailers to sell legal consumer fireworks and enabling the community to celebrate with these fireworks would be greatly appreciated.

The sale and use of consumer fireworks like firecrackers and sparklers contribute significantly to the local economy. Prior to the ban, retailers, distributors, and small businesses used to see a substantial increase in revenue during the festive seasons. This economic boost is especially important for small business owners who rely on seasonal sales to sustain their livelihoods. Many legitimate retailers depended on the sale of legal fireworks like sparklers and firecrackers, knowing that buyers must obtain a permit before purchase. The complete ban on fireworks imposed an additional financial burden on these law-abiding retailers, many of whom are still struggling to stay afloat. Nonprofits and churches also relied on the seasonal pop-up sales of legal fireworks. Allowing the sale of consumer fireworks would support the economic health of these retailers and community organizations.

Since the ban we continue to see more and more "bombs" and aerals lighting up the sky's weeks before the actual holiday from people's residences, from the street fronting people's homes, and at beaches. Banning fireworks did not eliminate their use in Hawaii and has NOT proven to be a viable solution as people still find ways to obtain them illegally, making those in the black market richer. It is important to remember that illegal fireworks are unregulated and pose significant safety risks.





We support the option for retailers to become licensed fireworks permit facilities if they so choose. This would ensure that the sale and use of fireworks are regulated, safe, and confined to permissible types, thereby reducing the prevalence of dangerous, illegal fireworks.

In conclusion, the Retail Merchants of Hawaii strongly supports Bill 22 (2024). Allowing the sale of legal consumer fireworks while maintaining the ban on illegal aerial fireworks respects cultural traditions, supports local businesses and nonprofits, and addresses public safety concerns more effectively than an outright ban.

Mahalo for this opportunity to testify.

SENATOR DAVID GOWAN
Military Affairs, Public Safety & Border Security,
CHAIRMAN
Natural Resources, Energy and Water
Finance

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REPRESENTATIVE KEVIN PAYNE
Military Affairs, Public Safety & Border
Security, CHAIRMAN
Regulatory Affairs
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DISTRICT 27

Arizona State Legislature
1700 West Washington
Phoenix, Arizona 85007

September 24, 2024

Aloha Chair Okimoto and the Public Safety Committee:

It is our understanding that your state may be considering the legalization of handheld and ground-based sparklers. As you may know, Arizona legalized these devices in 2010. For many years prior to this, the Arizona legislature heard from the fire officials that they had a lot of apprehension about the legalization of devices.

Many Fire Marshals reported that these devices would lead to more fires and injuries in the State of Arizona. However, I am happy to report that fear was unfounded. Since the legalization of handheld and ground-based sparklers in Arizona, we have not seen an increase in injuries or fires from the legalization of these devices. In fact, we are not aware of any fires caused by handheld and ground-based sparklers since the legalization 14 years ago.

It is also a fact that we have seen fewer illegal fireworks imported from Mexico, which, as you may know, do not have the same safety standards as products sold in the United States. The fireworks industry has been very diligent about working with our fire officials and educating the public to what is legal and what is not in Arizona. They have also been instrumental in defeating legislation for the expansion and sale of devices that would not be appropriate for sale in the Arizona.

All legislation regarding public safety, including fireworks, is assigned to our committees in both the Senate and the House. We would be happy to answer any questions regarding the legalization of handheld and ground-based sparklers. Please feel free to contact us at the information above.

Sincerely,

David M. Gowan, Sr., LD19

A handwritten signature in black ink that reads "David M. Gowan, Sr." in a cursive script.

Senate Chairman, Military Affairs, Public Safety
& Border Security

Kevin Payne, LD27

A handwritten signature in black ink that appears to read "Kevin Payne" in a cursive script.

House Chairman, Military Affairs, Public Safety
& Border Security

DG/sg

Councilmember Val Okimoto, Chair
Councilmember Augie Tulba, Vice Chair
Committee on Public Safety

RE: Bill 22 Relating to the Fire Code – In Support
Thursday, September 26, 2024; 1:00 p.m.

Aloha Chair Okimoto, Vice Chair Tulba and members of the committee:

My name is Germaine Okino and I am a resident of Waipahu here to express my strong support for Bill 22. This bill proposes the sale and use of safe, ground-based consumer fireworks like sparklers, fountains, and spinners, while keeping aerals and “bombs” illegal.

Here's why Bill 22 makes sense:

- **Safer Celebrations:** A complete ban pushes people towards the dangerous black market for illegal aerial fireworks. Regulated ground-based fireworks are a safer alternative.
- **Family Traditions:** Bill 22 allows families to continue celebrating with a tradition they cherish.
- **Common-Sense Approach:** This bill prioritizes safety while enabling responsible enjoyment.

Thank you for considering my testimony in support of Bill 22.

PHANTOM FIREWORKS

Distributors of Phantom® and Wolf Pack® Brand Fireworks

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Danial Peart, Director of Government Affairs

o. 330.746.1064
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www.fireworks.com

September 25, 2024

Councilmember Val. A. Okimoto, Chair
Councilmember Augie Tulba, Vice-Chair
Members of the Honolulu City Council

Bill 22 – Relating to the Fire Code; City Council Meeting, September 26, 2024, at 1:00 p.m.

Dear Chair Okimoto and Vice Chair Tulba, and Members of the Council.

My name is Dan Peart, Director of Government Affairs for Phantom Fireworks. Thank you for the opportunity to testify in support of Bill 22.

The prospect of legalizing the sale and use of ground-based consumer fireworks is exciting for several reasons, but chief among them are the two reasons I'll discuss today.

Principally, with no legal consumer fireworks able to be purchased and used in Honolulu, the illegal market is left to flourish. I won't suggest that Bill 22 will completely eliminate illegal fireworks in Honolulu, but we've seen in other states that the inclusion of a legal option for consumer fireworks shows a downturn in illegal usage as early as year one. Many consumers will opt for the legal variant for the peace of mind it offers while still being able to celebrate their favorite holiday or religious event.

Currently, Phantom Fireworks works only with non-profit groups in Hawaii. Not only has this been good for Phantom, but selling fireworks is the biggest fundraiser of the year for many of the groups that we work with. These relationships tend to be long-term and mutually beneficial. With the ability to expand to Honolulu, we would be able to add more non-profit groups to our operations and ultimately grow both our footprint and theirs.

Legal, responsible, and safe consumer fireworks usage is the trend across the U.S., with injury rates plummeting while usage has soared in recent years. The inclusion of ground-based consumer fireworks should help to ease some of the illegal market while helping various non-profit groups at the same. For this reason, I respectfully urge the council to vote "yes" on Bill 22.

Sincerely,
Danial Peart

TO: Members of the Committee on Public Safety

FROM: Natalie Iwasa
808-395-3233

DATE: Thursday, September 26, 2024

SUBJECT: Bill 22, Relating to Fire Code - **SUPPORT**

Aloha Chair Okimoto and Councilmembers,

Thank you for allowing testimony on Bill 22, which would allow the sale and use of certain ground-based fireworks. I support this bill.

Ever since small fireworks such as sparklers were banned, I watched as more illegal aerals became part of expected celebrations for New Year's Day and the Fourth of July. Prohibition didn't work in the 1920s, and the ban against fireworks on Oahu hasn't worked, either.

Bill 22 is a **reasonable** way to regulate small fireworks for consumers.

Please vote "yes" on Bill 22.