

BILL022(24)
Testimony

MISC. COMM. 447

COUNCIL

COUNCIL Meeting

Meeting Date: Oct 9, 2024 @ 10:00 AM

Support: 9

Oppose: 2

I wish to comment: 2

Name: Daniel Wilkerson	Email: dan.wilkerson@huntsvilleal.gov	Zip: 35801
Representing: Huntsville Fire & Rescue	Position: I wish to comment	Submitted: Oct 4, 2024 @ 05:03 AM
Name: Robert Howell	Email: jay.howell@afsl.org	Zip: 20815
Representing: The American Fireworks Standards Laboratory	Position: I wish to comment	Submitted: Oct 4, 2024 @ 07:14 AM
Name: Tad Trout	Email: anakama@wik.com	Zip: 96813
Representing: TNT Fireworks	Position: Support	Submitted: Oct 7, 2024 @ 10:14 AM
Name: Stephanie Kendrick	Email: skendrick@hawaiianhumane.org	Zip: 96826
Representing: Hawaiian Humane Society	Position: Oppose	Submitted: Oct 7, 2024 @ 11:19 AM
Name: germaine okino	Email: gokino@gmail.com	Zip: 96797
Representing: Self	Position: Support	Submitted: Oct 7, 2024 @ 11:51 AM
Name: Chad Sakagawa	Email: Chad.Sakagawa@gmail.com	Zip: 96818
Representing: Self	Position: Support	Submitted: Oct 7, 2024 @ 12:19 PM
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: Danial Peart	Email: dpeart@fireworks.com	Zip: 44505
Representing: Phantom Fireworks	Position: Support	Submitted: Oct 7, 2024 @ 01:11 PM
Name: Jodi Nakama	Email: jodi1269@yahoo.com	Zip: 96701
Representing: Self	Position: Support	Submitted: Oct 7, 2024 @ 01:45 PM
Name: Jamie Yamada	Email: jtakaesu@hotmail.com	Zip: 96826
Representing: Self	Position: Support	Submitted: Oct 7, 2024 @ 07:52 PM
Testimony: Aloha Council Members, I'm still in support of Bill 22. As stated in a prior written testimony, I strongly feel that safe fireworks should be heavily taxed on suppliers and distributors. The Honolulu County is missing out on this additional income coming through black markets. Thank you, Jamie Yamada		
Name: Tommy Battle	Email: carol.atchley@huntsvilleal.gov	Zip: 35801
Representing: Self	Position: Support	Submitted: Oct 8, 2024 @ 07:43 AM
Name: Tina Yamaki	Email: tyamaki@rmhawaii.org	Zip: 96816
Representing: Retail Merchants of Hawaii	Position: Support	Submitted: Oct 8, 2024 @ 09:48 AM
Name: Nancy Bernal	Email: nancy.bernal@hawaiianelectric.com	Zip: 96813
Representing: Hawaiian Electric	Position: Oppose	Submitted: Oct 8, 2024 @ 12:22 PM

Name: David Gowan	Email: dgowan@azleg.gov	Zip: 85007
Representing: Self	Position: Support	Submitted: Oct 9, 2024 @ 04:41 AM



BUREAU OF FIRE PREVENTION

HUNTSVILLE FIRE & RESCUE

P.O. Box 308

Huntsville, Alabama 35804

Phone (256) 427-5150



D. WILKERSON
FIRE MARSHAL

T. BENNETT
DEPUTY FIRE MARSHAL

May 1, 2024

To Whom It May Concern:

I am Dan Wilkerson, the current Fire Marshal for the largest city in the State of Alabama.

Last June the City of Huntsville, Alabama chose to approve the sale of handheld and ground based sparklers commonly referred to as safe-n-sane fireworks.

Our city, for many years prior, did not allow any type of fireworks to be sold or used by the general public. In our first year of legalization of these products in the time period of June 18th through July 5th, our fire calls dropped by 50% compared to the prior year.

While I cannot say that the reason for the drop was related to people purchasing these products versus illegal product in prior years, I cannot discount the fact that after introduction of these items to our citizens the data in fire calls dropped during this peak period for celebration.

Sincerely,

Dan Wilkerson
Fire Marshal
Huntsville Fire & Rescue

October 1, 2024

Council Member Tommy Waters, Chair
Council Member Esther Kia'āina, Vice Chair
Honolulu City Council

Re: Bill 22 (2024) Relating to the Fire Code

Chair Waters, Vice Chair Kia'āina, and Members of the Council,

Thank you for the opportunity to submit testimony regarding Bill 22 (2024) – Relating to the Fire Code. The American Fireworks Standards Laboratory (AFSL) is an independent nonprofit testing, inspection, and certification corporation founded in 1989 by members of the U.S. Consumer Fireworks Industry to establish consumer fireworks safety standards, more rigorous than those required under federal law, and test consumer fireworks for compliance to those standards. AFSL works with members of the consumer fireworks industry, state and federal regulators, the insurance industry, and other interested parties, to develop and publish product performance and design standards for compliant and safer fireworks devices.

AFSL's testimony is intended to provide a summary of fireworks-related injury data to assist the Honolulu City Council in making an informed decision regarding the level of unreasonable risk that may be associated with consumer fireworks, specifically sparklers and fountains, as indicated by the data contained in the U.S. Consumer Product Safety Commission's National Electronic Injury Surveillance System (NEISS) database.

All Fireworks Devices

As the attached report indicates, the estimated number of fireworks-related U.S. emergency department-treated injuries from all types of consumer fireworks devices in 2023 was 9,748¹, lower than any of the 96 product categories included in CPSC's 2023 NEISS Data Highlights report and representing only 0.08% of the estimated 12,740,256 consumer product-related U.S. emergency department treated injuries in 2023. About 22% of the incidents related to, but not necessarily caused by, fireworks were severe enough to result in hospitalization. Another 72% were treated and released to go home, while 5% left without seeking treatment.

¹ Consumer Product Safety Commission. National Electronic Injury Surveillance System 2023 on NEISS Online Database, released April 2024. Generated at <https://www.cpsc.gov/cgibin/NEISSQuery/home.aspx>.

Sparklers and Fountains

In 2023, there were an estimated 1140 sparker-related incidents², with 75% resulting in treatment and release, 14% leaving without being seen, and 11% requiring some form of hospitalization. In the same year, there were 17 estimated U.S. emergency department-treated injuries related to, but not necessarily caused by Fountains, with all patients being treated and released.

Additional information can be found in the attached report. Thank you for the opportunity to testify on this matter.

Respectfully,

Robert (Jay) Howell
Executive Director, American Fireworks Standards Laboratory

² Consumer Product Safety Commission. National Electronic Injury Surveillance System 2023 on NEISS Online Database, released April 2024. Generated at <https://www.cpsc.gov/cgibin/NEISSQuery/home.aspx>. Fireworks product code 1313.

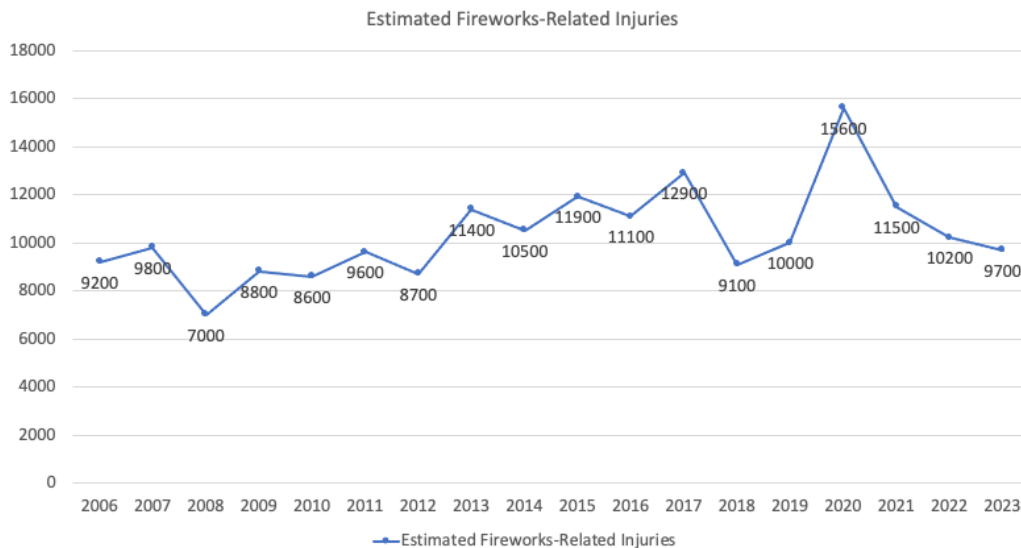
Summary Observations Regarding Injury Data Associated with
All Fireworks Categories, Sparklers, and Fountains
September 31, 2024

The National Electronic Injury Surveillance System (NEISS) is a statistically valid injury surveillance and follow-back system operated by the U.S. Consumer Product Safety Commission. The consumer product-related injury data collected in NEISS is used to produce national estimates of product-related injuries.

NEISS hospitals collect and report patient data from consumer product-related emergency department visits. In addition to the data, NEISS collects narrative describing the incident scenario that resulted in the need to seek medical care. The narrative provides additional information that is helpful in understanding how the consumer product was being used at the time of the incident.

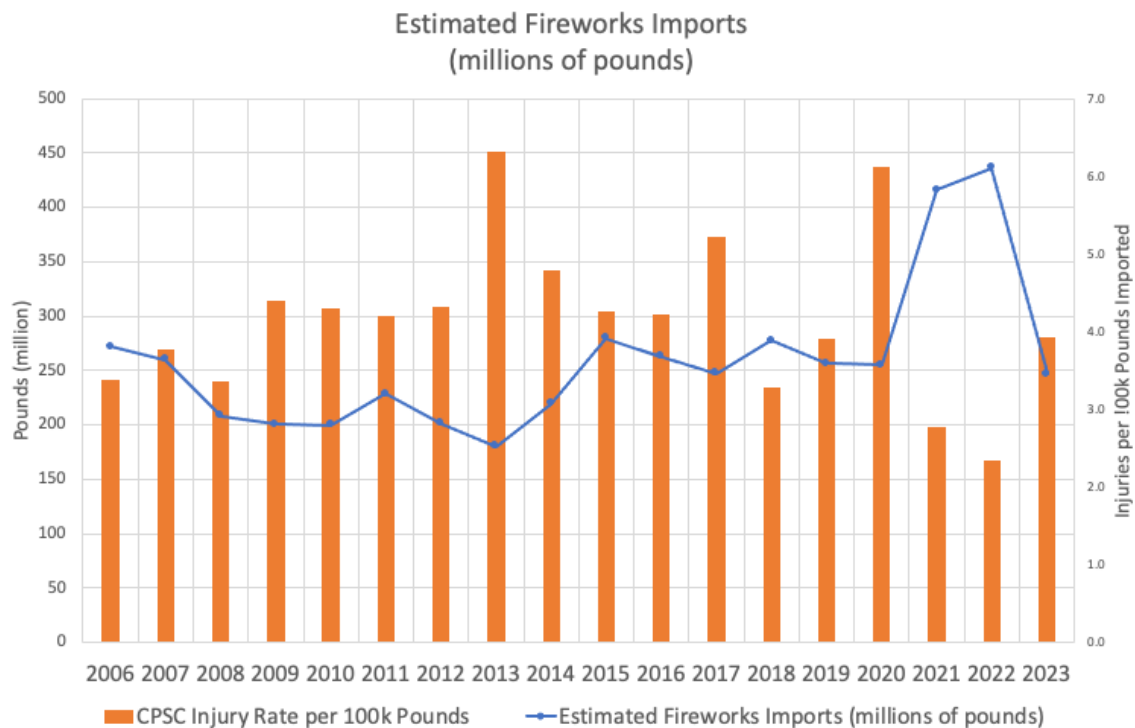
Fireworks

To provide some perspective, the estimated number of fireworks-related U.S. emergency department-treated injuries in 2023 was 9,748¹, lower than any of the 96 product categories included in CPSC's 2023 NEISS Data Highlights report and representing only 0.08% of the estimated 12,740,256 consumer product-related U.S. emergency department treated injuries in 2023. About 22% of the incidents related to, but not necessarily caused by, fireworks were severe enough to result in hospitalization. Another 72% were treated and released to go home, while 5% left without seeking treatment.



¹ Consumer Product Safety Commission. National Electronic Injury Surveillance System 2006-2023 on NEISS Online Database, released April 2024. Generated at <https://www.cpsc.gov/cgibin/NEISSQuery/home.aspx>.

The estimated number of injuries nationwide per 100,000 pounds of fireworks consumed², a reasonable estimate based on potential exposure, has remained below 7 since at least 2006.



The estimated injury rate increased in 2023 from 2.3 to 3.7 individuals per 100,000 pounds of fireworks consumed as consumption dropped by 41% but the number of estimated emergency department-treated injuries associated with, but not necessarily caused by, consumer fireworks only fell by 3%.

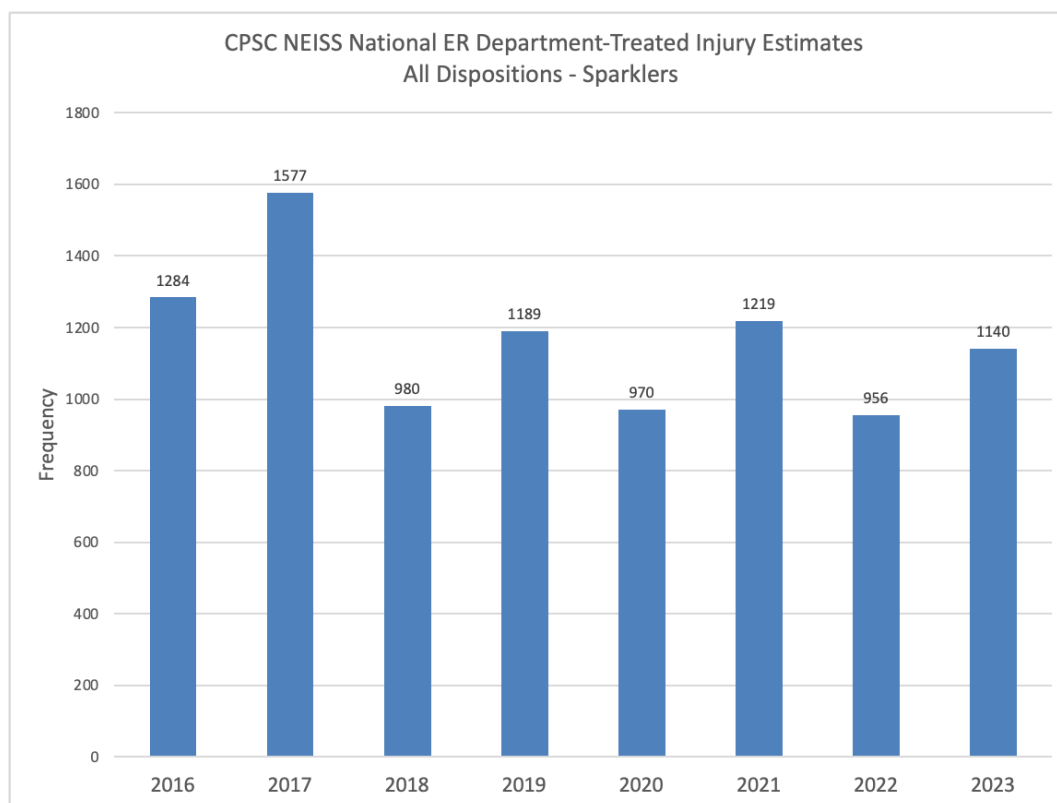
Sparklers and Fountains

A review of NEISS datasets for Sparkler and Fountain fireworks-related data from 2016 through 2023 reveals the following:

² Source: Injuries from NEISS, U.S. Consumer Product Safety Commission. Estimated fireworks imports data from the U.S. International Trade Commission (ITC), using Harmonized Tariff Schedule (HTS code 3604.10). Imports include consumer fireworks (1.4G HTS codes 3604.10.90.10 and 3604.10.90.50) and display fireworks (1.3G HTS code 3604.10.10.00). Display fireworks were about 7.6 percent of the total imports in 2023. In addition to imported fireworks used in the United States, there is also a small number of fireworks manufactured in the United States for domestic consumption; the data for these fireworks is not available from ITC and is not shown in this chart.

Sparklers

The number of Sparkler-related U.S. emergency department-treated injuries has remained relatively flat for the last six years, ranging between 970 and 1219.



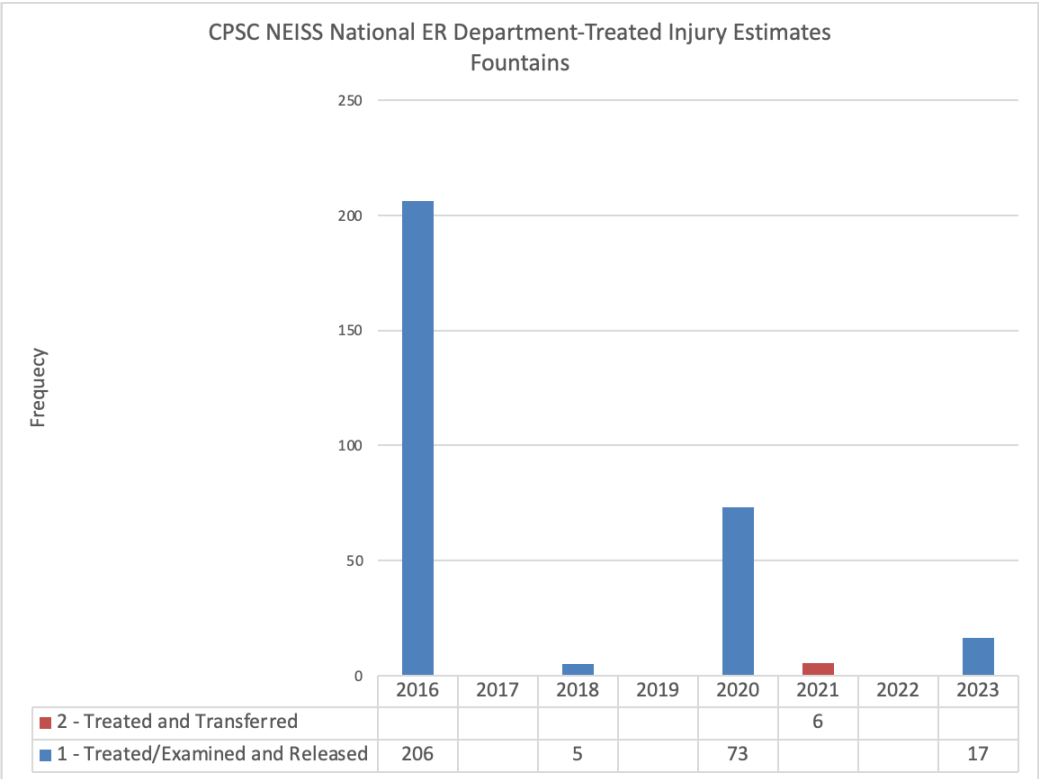
Source: CPSC's NEISS database. 2016 through 2023.

In 2023, there were an estimated 1140 sparkler-related incidents³, with 75% resulting in treatment and release, 14% leaving without being seen, and 11% requiring some form of hospitalization. Those that were hospitalized were diagnosed with various degrees of thermal burns.

³ Consumer Product Safety Commission. National Electronic Injury Surveillance System 2004-2023 on NEISS Online Database, released April 2024. Generated at <https://www.cpsc.gov/cgibin/NEISSQuery/home.aspx>. Fireworks product code 1313.

Fountains

There have been 307 estimated U.S. emergency department-treated injuries associated with Fountains since 2016. The estimated 206 Fountain-related injuries in 2016 were associated with adults either picking up an active device or injured while handling an unlit Fountain. Of the 307 estimated injuries associated with Fountains, 301 were not severe and the patients were treated and released. The estimated 17 injuries in 2023 were all treated and released.



Sources

The data used in this analysis, along with the associated narrative for each recorded case, can be found on the U.S. Consumer Product Commission website at the National Electronic Injury Surveillance System (NEISS) Online Database. Those seeking to better understand the hazard scenario associated with particular fireworks devices, as reported to emergency department personnel, are encouraged to download the data and information available at www.cpsc.gov.



October 9, 2024

Councilmember Tommy Waters, Chair
Councilmember Esther Kia'āina, Vice Chair
Honolulu City Council

RE: BILL 22 (24) Relating to the Fire Code - IN SUPPORT
Wednesday, October 9, 2024 at 10:00 AM

Aloha Chair Waters, Vice Chair Kia'āina, and Members of the Council:

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

AMERICAN PROMOTIONAL EVENTS, INC.
2120 MILWAUKEE WAY • TACOMA, WA 98421
TACOMA (253) 922-0800 • FAX (253) 830-2930
www.tntfireworks.com



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



**Celebrate
Safely
Fireworks
Campaign**

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.

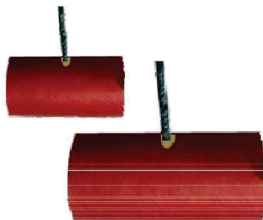


ILLEGAL EXPLOSIVE DEVICES

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.

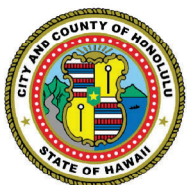
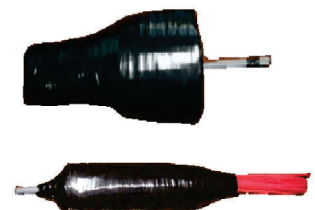


A tennis ball bomb is an improvised explosive device consisting of a tennis ball filled with combustibles or pyrotechnic material with a fuse producing a loud explosion.



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





Hawaiian Humane Society

People for animals. Animals for people.

2700 Waialae Avenue Honolulu, Hawaii 96826
808.356.2200 • HawaiianHumane.org

Date: Oct. 7, 2024

To: Chair Tommy Waters
Vice Chair Esther Kia'aina
and Members of the City Council

Submitted By: Steph Kendrick, Director of Community Engagement
Hawaiian Humane Society, 808-356-2217

RE: Opposition to Bill 22 Relating to the Fire Code
Wednesday, Oct. 9, 10 a.m., City Council Chamber

Mahalo for considering the Hawaiian Humane Society's opposition to Bill 22, Relating to the Fire Code.

This bill proposes to liberalize the City and County of Honolulu's restrictions on pyrotechnics by allowing for the sale of consumer fireworks. Hawaiian Humane advocates for efforts to restrict fireworks from residential neighborhoods as illegal fireworks continue to fill our communities with explosions that terrorize pets and people alike while disrupting what should be joyous times for local families.

When the city banned all consumer fireworks except firecrackers in 2010, the ban was intended to reduce the sheer volume of fireworks coming into the state, which was cited as making it impossible to spot the illegal fireworks that were setting roofs on fire and leading to tragic injuries and deaths. The idea that fewer legal imports would make the illegal bombs easier to spot was a fine theory. Unfortunately, the intervening 14 years brought no serious enforcement effort. The lack of a robust crack down on the import of illegal explosives was a huge missed opportunity and the people and animals of O'ahu have continued to be traumatized by illegal explosives as a result.

In fact, the problem only seems to get worse. Hawaiian Humane has long educated our community about keeping pets safe from the terror of fireworks around New Years and July 4, but illegal bombs increasingly go off for months at a time without warning. That makes it impossible for pet owners to prepare and creates sustained stress on people and animals, which can do lasting damage to their emotional, mental and physical health.

Neither people nor animals should have to take tranquilizers just to survive the impacts of their neighbors' illegal behavior.

The good news is that the Department of Law Enforcement's Illegal Fireworks Task Force is now on the job. In just a few months, state and federal agencies worked together to interdict more than 40 tons of illegal explosives before they could pose a danger. We implore the Council to give this new momentum a chance to bear fruit. Government needs to show it is finally serious about keeping explosives out of our communities and protecting the people and animals of O'ahu from the noise and air pollution that take such a profound toll on our most vulnerable populations.

Liberalization of fireworks restrictions cannot responsibly be considered until the trade in illegal explosives is halted once and for all. As Chair Tommy Waters said upon the approval of the FY25 city budget, public safety must be government's top priority.

We urge you to vote against the passage of Bill 22 and support long-overdue efforts to keep explosives out of our neighborhoods. Mahalo for your consideration.

Councilmember Tommy Waters, Chair
Councilmember Esther Kiaʻāina, Vice Chair
Honolulu City Council

RE: BILL 22 (24) Relating to the Fire Code - IN SUPPORT
Wednesday, October 9, 2024 at 10:00 AM

Aloha Chair Waters, Vice Chair Kiaʻāina, and Members of the Council:

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

2445 Belmont Ave
Youngstown, Ohio 44505
Danial Peart, Director of Government Affairs

o. 330.746.1064
dpeart@fireworks.com
www.fireworks.com

October 4, 2024

Councilmember Tommy Waters, Chair
Councilmember Esther Kia'aina, Vice-Chair
Members of the Honolulu City Council

Bill 22 – Relating to the Fire Code; City Council Meeting, October 9, 2024, at 10:00 a.m.

Dear Chair Waters, Vice Chair Kia'aina, 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

Councilmember Tommy Waters, Chair
Councilmember Esther Kiaʻāina, Vice Chair
Honolulu City Council

RE: BILL 22 (24) Relating to the Fire Code - IN SUPPORT
Wednesday, October 9, 2024 at 10:00 AM

Aloha Chair Waters, Vice Chair Kiaʻāina, and Members of the Council:

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



Tommy Battle

October 8, 2024

To whom it may concern:

It is my understanding that the Honolulu City Council is considering the legalization of handheld and ground based sparkling devices. The legalization of these devices in Huntsville, Alabama has proven to be beneficial in our community. There are less 'loud bang'/explosive fireworks being used resulting in less citizen complaints and injuries. Where we have not been able to eliminate the explosive fireworks, we have given our citizens a legal alternative. An added benefit has been the revenue from sales tax that occurs with the legal sales within our city boundaries.

The fireworks industry has been diligent about working with our local officials and providing educational information to the public.

I would say our community made a wise move when we offered the sparkling and handheld devices as a legal way to celebrate.

Sincerely,

Tommy Battle
Mayor

The Star of Alabama



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

October 9, 2024

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

Aloha, Chair Waters, and members of the Honolulu City Council. 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 maintain the ban on illegal fireworks like that of aerial and the 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 aerials, 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 fireworks 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 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 aerials 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 consumer 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.



3610 Waialae Ave • Honolulu, HI 96816



(808) 592-4200



tyamaki@rmhawaii.org



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 and bomb type 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.



**Hawaiian
Electric**

WRITTEN TESTIMONY BEFORE THE HONOLULU CITY COUNCIL

**Testimony in Opposition to Bill 22 (2024)
Relating to the Fire Code**

Wednesday, October 9, 2024
10:00 A.M.
Kapolei Hale

Submitted by:
Hawaiian Electric

Dear Chair Waters, Vice Chair Kia'āina, and Members of the Honolulu City Council,

Hawaiian Electric submits written testimony in opposition to Bill 22 (2024),

Relating to the Fire Code.

Hawaiian Electric recognizes the growing risk wildfires pose to public safety in the communities we serve. The company has worked closely with the Honolulu Fire Department (HFD) and other stakeholders on wildfire safety measures such as the Public Safety Power Shutoff program to reduce the risk of wildfires and help keep the public and our communities safe.

Hawaiian Electric appreciates HFD's concerns that fireworks are a known ignition source for wildfires in Hawai'i. Bill 22 (2024) would effectively increase the use of consumer fireworks in the City and County of Honolulu. While Hawaiian Electric understands the cultural significance of fireworks in Hawai'i, we believe that wildfire prevention and public safety are paramount given the elevated risk wildfires pose. It is with these considerations in mind that Hawaiian Electric respectfully opposes Bill 22 (2024).

Thank you for this opportunity to testify.

March 25, 2024

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

CAPITOL PHONE: (602) 926-5154
dgowan@azleg.gov
DISTRICT 19



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

CAPITOL PHONE: (602) 926-4854
kpayne@azleg.gov
DISTRICT 27

Arizona State Legislature
1700 West Washington
Phoenix, Arizona 85007

October 9, 2024

Aloha Chair Waters, Vice Chair Kiaāina, and the Honolulu City Council:

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.

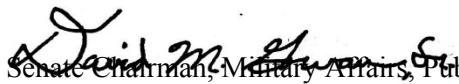
Many Fire Marshals reported that these devices would lead to more fires and injuries in the State of Arizona. However, I am happy to report that fear was unfounded. Since the legalization of handheld and ground-based sparklers in Arizona, we have not seen an increase in injuries or fires from the legalization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


Senate Chairman, Military Affairs, Public Safety &
Border Security

Kevin Payne, LD27


House Chairman, Military Affairs, Public Safety &
Border Security

DG/sg