

Testimony of Lt. David S. Belcher, OFE
President of Ohio Fire Officials Association
House Bill 226 – Fireworks Legalization and Regulation
June 7th, 2017

Chairman Blessing and Members of the Government Accountability and Oversight Committee, thank you for allowing me to speak in opposition of House Bill 226.

I'm Lt. David Belcher, a 35 year Ohio fire service veteran. As President of the Ohio Fire Officials Association, I represent over 300 Certified Fire Safety Inspectors from across Ohio. I stand before you to express our deep concerns with House Bill 226 and to encourage you to oppose this legislation. HB 226 represents the latest attempt in Ohio to legalize fireworks and we continue to oppose these efforts as they put Ohioans at risk.

Fireworks are known to be inherently dangerous and we strongly encourage the committee to reject this latest attempt at legalization.

There's no safe way to use consumer fireworks! "June 28, 2016: NFPA shares eye-opening statistics and recommends revelers attend public fireworks displays put on by trained professionals: – As the Fourth of July approaches, the National Fire Protection Association (NFPA) is reminding the public that there's no safe way to use consumer fireworks."

- We know these are explosive devices, many from overseas, that have very little quality control measures in place. Fireworks require just three main components: 1) an oxidizer, 2) a fuel, and 3) a chemical mixture to create the color. When exposed to fire, the oxidizer breaks the chemical bonds in the fuel, which releases the energy stored in the bonds.^[12] ¹²Merrick, Patrick. *Fourth of July Fireworks*. North Mankato, MN: The Child's World, Inc, 2000.
- The largest manufacturer and exporter of fireworks in the world today is China.^[6] ⁶Hartston, William. "Top 10 Facts about Fireworks." *Express*. Updated November 13, 2014. Accessed: June 20, 2015.

In Ohio in 2015, fire incidents involving fireworks caused 19 structure fires, resulting in an estimated \$268,000 in property loss and \$70,000 in content loss. In total, there were 67 fire incidents involving fireworks reported for 2015, with an estimated \$281,000 in property loss and \$70,000 in content loss. (Ohio State Fire Marshal's Office)

As for establishing local controls, this presents many inconsistencies and complications. For those township fire departments; only townships with **Home Rule** are able to pass resolutions that would allow for them to have local "law" established. My organization is

a township fire department. We cover a township and three (3) different municipalities. We could potentially have four (4) different set of laws.

All enforcement would rely on local resources that already have strained staffing levels in both Ohio's Law Enforcement & Ohio's Fire / EMS Services. Extremely hard to enforce when purchases, residential storage, and displays are not regulated by statute. No regulation or "*right to know*" for storage in private residences. Those unknown quantities would be lawful under this proposed bill. Creating a significant safety issue for both consumers and first responders alike.

Greater distribution involves more inspections on an already overwhelmed Ohio's Certified Fire Safety Inspectors. Not necessarily constituting a gracious revenue funding stream to supplement Ohio's fire service staffing levels. Simply providing safety pamphlets and safety glasses will not be a sufficient avenue for our public consumers insurance of compliance or use without risks.

We have no objection to establishing a study committee to discuss this matter further, but cannot place faith in that process so long as the default position of the bill is full legalization of consumer fireworks.

As advocates for all of our first responders we strongly recommend any "study group" include an Ohio Certified Fire Safety Inspector representative, those who would bear the burden of the adopting local regulations, enforcement of the laws / rules, and best practices. It must include representation of all involved parties most affected by this legislation – fire, police, hospitals, burn units, inspectors, etc. and certainly would be a better cross-section. Those particular professions are usually best representing by their state association affiliations. They should have the opportunity to appoint their spokesperson(s) to any committee that has statewide legal implications.

Thank you for your time and attention to this important matter. We hope the committee will again vote to protect Ohioans and our First Responders!