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HB 253—Fireworks Legalization and Regulation
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Chairman Manning, Vice Chair Dean, Ranking Member Lepore-Hagan and Members of the House Commerce and Labor Committee, thank you for allowing me to provide written testimony in opposition of House Bill 253, which would make changes to Ohio's fireworks law.

My career was spent in a lifetime of service to my community. I was a Fire Department Lieutenant for 28 years and an Ohio peace officer for 10 years before my retirement. I was a first responder and saw plenty of destruction due to consumers using backyard fireworks.

I have listened to much deliberation over the recent years in hearings to legalize consumer discharge of backyard fireworks. For me, a poor case has been made about patriotism or freedom or free enterprise. Especially of concern is the economic impact. While the fireworks industry stands to gain additional sales, what about the economic impact on those that must deal with the fallout of fireworks injury incidents such as first responders, law enforcement, and hospitals, and of course innocent bystanders?

While the fireworks industry has lined up to support this legislation, citizens are not lining up in our communities or at the statehouse!

Being a fire official I heard time and time again that the current ban on discharge is not enforced. It was never outlined for a successful execution!

If law enforcement makes a call, they cannot confiscate the product because -

Transport must be done by: A CDL – HAZ. MAT. Endorsement Driver in A “Explosive Placarded” Vehicle which are not instantly available.

Storage in a registered, approved magazine for entire length of litigation is required.

Litigation may extend many years. By whom at what cost? The chain of evidence of the confiscated product SHALL be maintained for the duration of the process in such magazine.

A successful model could include allowing for confiscation, which would include delivering to an industry location for secure storage and inventorying during litigation. To give first responders the tools to enforce the current law, this type of alternative language should be investigated and developed by subject matter experts along with ALL stakeholders.

Some proponents advocate this is an **opportunity to Educate** the public better about how to use backyard fireworks safely.

Numerous agencies both nationally and statewide, private and public, have been **unsuccessful** at education of our citizens on the simple importance on having a “working smoke alarm - carbon monoxide alarm” in every residence, not to mention the value of residential sprinklers for life safety. And, I contend that when you are talking about an explosive device in the hands of consumers, there is no safe way to use this product. In fact, the instructions on the back of a backyard fireworks package says “light fuse and run quickly in opposite direction.”

Why would our already burdened and strained public safety forces and first responders voluntarily take on another safety campaign to promote to our constituents that may falsely prepare them for a very dangerous product as stated by the National Fire Protection Agency. We’re already lacking resources to successfully accomplish these along with other very important safety issues.

This is not an issue that should belabor our time and energy any longer towards illustrating the advocacy for safety to citizens of Ohio.