

TESTIMONY OF SHERILL K. WILLIAMS
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HB 253—Fireworks Legalization and Regulation
February 5, 2020

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

As President & CEO of the Ohio Affiliate of Prevent Blindness, I represent an organization that serves as the voice for Ohio consumers when it comes to eye health and safety. We serve nearly 1 million Ohioans of all ages each year. We care about fireworks safety because annually 20% of the average 10,000 serious consumer fireworks injuries are to the eye. But, there are many other organizations that are part of our Ohio Fireworks Safety Coalition – medical, public safety and insurance organizations - representing millions more Ohio constituents that are also opposed to HB 253 and its companion bill, SB 72.

As we have seen in past attempts to legalize fireworks discharge, no consumer groups have spoken in favor of allowing consumers to discharge 1.4g fireworks. Only members of the fireworks industry and the bill sponsor have testified in support.

Passage of HB 253 would place Ohio among the most open-ended states as it relates to fireworks discharge. The bill allows discharge of consumer fireworks including bottle rockets, missiles, roman candles and firecrackers in the state of Ohio 24 hours a day, seven days a week, 365 days a year. Only Alaska, Wyoming, and Colorado have similar, expansive discharge provisions in their state statutes. This is quite a dramatic shift from our current position as one of the safest states.

Passage of this legislation will certainly lead to an increase in fireworks discharge, property damage and injury to both individuals igniting the fireworks and individuals minding their own business.

If we listen and learn from other states that have recently lifted their consumer discharge ban, our fears will likely be realized – the state of Iowa just experienced its first summer of legal consumer fireworks use after a decades-long ban in 2018. Injuries due to backyard fireworks increased by 163% over the previous three-year average. And, 67% of Iowans

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were in favor of consumer fireworks before the ban was lifted and only 47% were in favor after.

Safety and public health advocates urge you to carefully consider the price that Ohioans will have to pay in terms of property, health, well-being and future productivity with passage of this bill.

Here are just a few of the consumer fireworks tragedies right here in Ohio that if we mirror the Iowa evidence, could increase by 163% if consumer discharge is legalized:

Consider the case of Caleb Bogan from Lebanon, Ohio. Last spring, he lost his left hand and parts of his right hand when he picked up a firework he thought was a dud and it exploded. Caleb is only 12 years old. This story illustrates the inherent danger of 1.4g fireworks.

Eric Rathburn was at a 4th of July party in Hilliard in 2009 when a pregnant woman gave up her seat to Eric to view a backyard fireworks display. She was not comfortable about the potential danger to her and her unborn baby and went into the house to avoid risk. Eric thinking there was nothing to fear, permanently lost sight in his right eye, even after expensive surgery and months off work. His eye has been permanently damaged, with a scar down the middle from where it was cut and sown back together. His right pupil is fully dilated now at all times because of the damage and his iris has dropped to the bottom of his eye.

Patricia Holsinger from South Pointe, Ohio lost her elderly parents, Leo and Betty Sayre in 2014 due to a bottle rocket discharged by a neighbor that took an errant path onto their property while they were asleep in their bed. Patricia says that horrible night still haunts her with scenes of fire trucks, smoke and her poor, lifeless parents lying covered in a sheet on the front lawn.

In July 2014, four-month-old Aubree McCormick was in a playpen on the porch at a home in Youngstown when a 10-year-old neighbor kicked over a firework that was lit. The baby was flown to Akron Children's Hospital for treatment. She was in the burn unit for an extended period of time and her injuries are described as critical. Her face and part of her body was badly burned forever changing her future.

City of Euclid Fire Captain, Jay Northrup, put on a backyard fireworks show in 2015 and almost lost his life when he bent over to check why a 1.4G missile device did not discharge. The left side of his face was severely damaged and he lost most of his vision in that eye as well. He says that if anyone should know how to safely discharge a backyard firework, it would be him with 26 years of experience as a paramedic and 24 years of

experience as a firefighter. His accident made him conclude that there is no safe way to use backyard fireworks, especially by members of the general public.

Other testimony in your packet is from Nichole Coleman, United State Air Force Veteran. She suffers from post-traumatic stress, as do 100,000 additional Ohio veterans. She says, “this bill legalizes the discharge of a category of loud and powerful fireworks and has such loose standards for where and when the fireworks may be set off, [which] quite simply is a question of quality of life for many veterans—myself included. Before you cast your vote on HB 253, consider the views of the broad array of veterans opposed to this legislation.”

It should be noted the AMVETS Department of Ohio, representing tens of thousands of Ohio veterans, is opposed to HB 253 for the same reasons as Nichole. There are many heartbreaking stories of families that have seen children injured or loved ones maimed by fireworks; in some cases, the injuries are fatal.

The vast majority of the personal stories of tragedy were suffered by innocent bystanders ... people minding their own business and having their lives damaged by the action of others.

I am positive that no one on this committee wishes to see more Ohioans injured. Vets don't want this bill. First responders don't want this bill. Medical and safety professionals don't want this bill. And, neither do pet owners. There are many opportunities for Ohioans to enjoy professional fireworks displays in their communities and we encourage their participation in this safer celebration where explosives are not in the hands of amateurs.

House Bill 253 attempts to accomplish a great deal in terms of regulation of the fireworks industry. We urge the House and General Assembly to focus its energy on the bill's business regulation aspects and maintain Ohio's current ban on discharge of 1.4G fireworks in place.

Thank you for your time and I am happy to answer any questions you may have.