

**TESTIMONY OF ERIC RATHBURN**  
**HB 253—Fireworks Legalization and Regulation**  
**June 3, 2020**

Chair Manning, Vice Chair Dean, Ranking Member Lepore-Hagan, and members of the House Commerce and Labor Committee, I want to thank you for the opportunity to provide opponent testimony on House Bill 253.

My name is Eric Rathburn and I provided written testimony about a personal experience to this committee on February 5, 2020. I regret being unable to testify in-person, but my work office remains closed and I am working from home and not doing any traveling at this time.

While I previously shared with you my personal experience with fireworks, I do want to reiterate some key parts and stress the importance of not passing this legislation.

Like many kids growing up in small towns like Mansfield, Ohio, fireworks were fairly easy to obtain, even though they were illegal to shoot off. We mostly messed around with these fireworks without our parents' knowledge or adult supervision. Nothing serious happened except for some minor burns.

However, my attitude toward all fireworks greatly changed as an adult roughly twenty-five to thirty years later. When I look back and remember what we did as kids I realize now how lucky we were. I also realize how stupid we were in playing with fireworks.

On June 27<sup>th</sup>, 2009 I was invited to a couple of pre-July 4<sup>th</sup> parties. One party was in Hilliard where I decided to stay past dark to catch up with old friends – a decision that changed my life forever.

The homeowner at the party and some of his buddies set up to shoot fireworks (mortar type fireworks that you can buy at fireworks retail stores) in the grass in the middle of the houses. I was talking to friends and when some of them left, I sat down in one of their chairs.

No sooner than me sitting down, a misfire came flying through the crowd and changed my life. The misfire hit me in the glasses sending me backwards on to the grass and knocking my glasses off me. After that I did not see anything.

Friends came to my aide as I was bleeding and leaking fluid from the eye. I was taken to OSU emergency room unable to open either eye. The doctor that examined me had to force my eyelids open to look at both of my eyes. My left eye was fine. When the doctor forced open my right eye, I could see some light so I guess that was good sign.

I was admitted after receiving a MRI scan and surgery was performed over three hours the next morning. I went home the next day and mostly went around the house by feel, having a large patch over my right eye, I was right eye dominant, and not unable to

open my left. After a few days, I was able to start opening my left eye while keeping my right eye closed. But that was difficult and it hurt to keep it open for long.

I eventually was able to open my right eye, but it had been permanently damaged, with a scar down the middle from where it was cut and sown back together. My right pupil is fully dilated now at all times because of the damage and my iris has dropped to the bottom of the eye.

It took me a few follow-up visits with my doctor before we discussed how lucky I truly was that day. My doctor noted that without glasses on, the firework fireball would have struck me in the eye and probably attached to me from the heat and blown up in my face. I not only could have been severely injured but also could have died from the impact/explosion. Yes, I was very lucky. **I was an innocent bystander at a friend's cookout, minding my own business, having fun, who was injured by a firework illegally shot off from a friend's back yard.**

Today, I can see out of my right eye, but it is like looking out a very soapy window on a very bright day. My damaged eye cannot be corrected with eyeglasses. Both eyes are also still very light sensitive and I can be seen wearing sunglasses even on cloudy days driving or inside a restaurant if I'm close to the windows on a sunny afternoon. There rarely is a day today when I'm outside when it is light out without sunglasses.

My left eye has taken over and become the dominant eye now as it is my only fully operational eye. Occasionally, I still have dreams of a fiery ball coming at me. I no longer watch any fireworks and you could say that I'm afraid of fireworks today.

It is important to keep Ohio's fireworks laws as they are. There is no need to give Ohioans the legal opportunity to shoot them off when there are so many injury stories already like myself from the illegal discharge of fireworks in Ohio.

Moreover, our health care institutions, which are putting forth tremendous efforts to serve those most in need due to COVID-19, do not need the additional strain on their time and resources that will result from passage of this bill. Legalizing discharge of consumer fireworks will result in avoidable additional emergency room visits to treat injuries caused by fireworks use.

Please understand that **making it legal/easier for individuals to shoot off fireworks in Ohio will only make more unlucky bystanders like myself injured.** In conclusion, I oppose the passage of House Bill 253.

Thank you for allowing me to submit testimony on this very important issue.

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