

TESTIMONY OF SHERILL K. WILLIAMS
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House Bill 226—Fireworks Legalization and Regulation
May 9, 2018

Chairman Coley, Vice Chair Uecker, Ranking Member Schiavoni and Members of the Senate Government Oversight and Reform Committee, thank you for allowing me to speak in opposition of House Bill 226, which would make changes to Ohio's fireworks law. As President & CEO of Prevent Blindness Ohio, 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.

I would like to call your attention to a letter that was submitted to this committee on behalf of the Ohio Fireworks Safety Coalition. As you can see, there are nearly 20 organizations representing tens of thousands of Ohioans who strongly oppose HB 226. The membership and populations of communities served by these organizations represents millions of Ohioans from every corner of the state. In stark contrast, proponent testimony on this bill heard by your committee only included a few fireworks retail companies. No consumer constituent groups spoke in favor of HB 226. And no witnesses came forward to advocate for consumer discharge of fireworks.

I am here today to express deep concerns with HB 226 and the repeated attempts to legalize fireworks in the state of Ohio. This bill would allow for consumers to discharge 1.4g 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 as long as it is on their own property or property they have received permission to use.

This is not a new issue in Ohio. There have been repeated attempts to legalize discharge of fireworks over the past few years. The argument is always the same—everyone already does it so let's make it legal. This argument is deeply flawed and ignores the impact of the current prohibition on discharge. A recent article in the *Columbus Dispatch* highlighted data from the Ohio Department of Transportation that showed more than 1.3 million Ohioans have at least one drunk-driving arrest—so I ask you, since so many people are doing it should we make it legal?

Mission: To Prevent Blindness and Preserve Sight

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Please remember Prevent Blindness Ohio in your will.

As advocates for safety and health, we believe the repeal of the current law which would lift the ban on discharge of consumer fireworks sends the wrong message to Ohioans. The message of “if it’s legal, it must be safe” will lead to an increase in fireworks discharge, property damage and injury to both individuals igniting the fireworks and individuals minding their own business. Studies from other states that have legalized discharge continue to show increases in fireworks injuries, including more severe injuries. This is largely due to a false sense of safety that citizens develop once something is legalized.

HB 226 would make Ohio one of the most open states as it relates to fireworks usage. Many states that have legalized discharge have restricted the times of year the fireworks can be purchased and discharged. Further, many states have also placed limits on the discharge of fireworks by children and the types of 1.4g fireworks that can be purchased and discharged. This type of open policy would certainly benefit the fireworks industry, but it comes at the cost of the health and safety of our citizens and first responders.

Poll results recently came out in Iowa, a state that just experienced its first summer of legal consumer fireworks use after a decades-long ban. Injuries due to backyard fireworks increased by 163% over the previous three-year average. And, 67% of Iowans were in favor of consumer fireworks before the ban was lifted and only 47% were in favor after.

Unfortunately, more and more states are going the route of legalization with dire consequences. Since 2008, 5 additional states have legalized discharge of consumer grade fireworks and during that same period of time, serious injuries increased by 60% from 2.3 injuries per 100,000 population in 2008 to 3.7 injuries per 100,000 populations in 2015. Half of last year’s 11,000 injuries due to consumer use of fireworks were to innocent bystanders, many of them children. These are citizens who chose not to engage in risky behavior but whose lives were changed due to what HB 226 would legalize.

The list of opponents and concerned citizens is a long one. 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. I am positive that no one on this committee wishes to see more Ohioans injured. 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 226 attempts to accomplish a great deal in terms of regulation of the fireworks industry. We urge the Senate 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 consideration.