

Testimony of Dave Belcher, (Retired Firefighter Lt.)  
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**Substitute SB 113—Fireworks Legalization and Regulation**

**June 23, 2021**

Chairman Stein, Vice Chair Johnson, Ranking Member Lepore-Hagan, and Members of the House Commerce and Labor Committee, thank you for the opportunity to offer testimony regarding Substitute SB 113, which would allow consumers in Ohio to use bottle rockets, firecrackers, ground sparklers and missiles (1.4g explosive fireworks).

Serving nearly 40 years in the fire service, with a focus on risk management through training, and twelve (12) of those years specifically dealing with compliance aspects in enforcing the Ohio Fire Code by performing required fire safety inspections.

I am extremely passionate about having the opportunity to participate in the legislative process. Please excuse my absence due to the current pandemic situation and embrace this written submission as if I were testifying before you today.

My name and title may seem familiar to some of you, as I have followed this legislation for several years. Testifying before (along with other certified fire safety inspector colleagues) as an opponent to any legalization and/or discharge of consumer fireworks. I will defer to the other opponent's reference to the many injury issues and speak to you as an enforcement official.

The mere lengthy history of this very controversial issue should cause great pause to all legislators. This current legislation before you should be an alarm for great concern for the safety of all Ohioans. You will hear many opponent testimonies from many different Ohioans. One issue I want to spotlight is, the fact because this current language is so broad, it could tend to cause many issues for fire code officials who are duly sworn to protect our citizens. Quite possibly contradicting current language in both the Ohio Building Code and Ohio Fire Code. Specifically, any availability of consumer fireworks products in mercantile occupancies is not allowed by current code language. Legislative language (Ohio Revised Code) should not dictate and/or contradict current code language. The normal rule making process should be followed by relying on the voices of the all the different subject matter experts who have lodged before you many safety concerns.

Also, the fact remains, consumer fireworks are an explosive, dangerous commodity. Many have testified before with documented evidence there is extraordinarily little quality control going into the manufacturing process. Therefore, the end-product is highly susceptible to varying degrees of explosive elements. Any legalization to the discharge of

consumer fireworks implies they are safe and places many innocent people (most often children - sufficiently documented by others testimony) in harm's way.

I was able to witness this firsthand during the 2020 4<sup>th</sup> July holiday here in central Ohio. While attending a small outdoor gathering (of our designated safe cohort / pod of individuals) I saw the neighbors were having an exceptionally large party with an illegal fireworks display. Alcohol was obviously involved, with no social distancing- very crowded, and many significant safety concerns with their fireworks discharge. At that point, I had to act very quickly to stop innocent, curious, young children from running next door to be directly in the line of firing. Secondly, had actual damage to my vehicle from "fallout."

As a fire safety professional, I have seen the aftermath of fireworks accidents. I am quite sure there was plenty of education on the many health issues of the gatherings such as they had during the pandemic. Let us not kid ourselves about the general public's level of compliance to passive safety campaigns!

Near misses such as those occur too often and most all go unreported. Anyone, with any knowledge of risk management profiles, know that the number of "near misses" directly extrapolates out to a profoundly serious injury or death.

To that point, I challenge those that believe this as an opportunity to launch an all-out campaign to educate "lay persons" to safely launch & have aerial displays of explosive devices. There are plenty of realistic safety campaigns which still need our complete attention to make the needed impacts.

Finally, I must express my voice of experience, on the danger that increased access to consumer fireworks and legalized discharge puts in the way of our first responders in law enforcement, emergency care and firefighting. It is the people on the front lines that put themselves in harm's way when there are fires, injuries and disputes that are caused by consumer discharge of fireworks. For the first time in my long career in the fire service, I saw that fireworks were even being used as weapons against first responders in the violence that sprung up across the country last year.

With the current situation in Ohio trying to recover from the pandemic, I question the priority, and timing of promoting this highly controversial issue. I would encourage all of you to reconsider what is at stake by allowing this bill to continue through the legislative process.

Thank you again for allowing my written testimony to be a part of this great American democracy process!