

TESTIMONY OF SHERILL K. WILLIAMS
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Sub. SB 72—Fireworks Legalization and Regulation
May 29, 2019

Chairman McColley, Vice Chair Uecker, Ranking Member Antonio and Members of the Senate Transportation, Commerce and Workforce Committee, thank you for allowing me to speak in opposition of Sub. Senate Bill 72, 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 12,900 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 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 SB 72 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.

If SB 72 enacted, 46 other states will have safer fireworks discharge laws than Ohio. This is quite a dramatic shift from our current position as one of the safest states. As advocates for safety and public 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.

There is no safe way to use fireworks, just like there is no safe way to text and drive. To assume that making dangerous acts such as these legal will increase their safety is contrary to common sense. It is also contrary to the evidence from other states that have assumed the same. 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. 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.

Mission: To Prevent Blindness and Preserve Sight

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The worst part is that half of the consumer fireworks injuries are to innocent bystanders ... 36% of them children ... people minding their own business and having their lives damaged by the action of others. This is a challenge to the freedom and liberty of those who deserve to feel safe in their own home and community. Consider the case of Caleb Bogan from Lebanon, Ohio. Earlier this year, 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.

I also point out written testimony in your packet that includes the story of a City of Euclid Fire Captain, Jay Northrup, who 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 SB 72, 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 SB 72 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. 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.

Senate Bill 72 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 time and I am happy to answer any questions you may have.