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**TESTIMONY OF SHERILL K. WILLIAMS**  
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**Sub 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 Senate Bill 113. I am here today on behalf of the nearly 5,000 volunteers and advocates who support the charitable mission of the Ohio Affiliate of Prevent Blindness (PBO) – to prevent blindness and preserve sight.

PBO serves as the voice for Ohio consumers when it comes to eye health and safety. Along with the nearly 1 million Ohioans of all ages that benefit from our direct services, we also take an active role in advocacy to promote eye health and safety. This is the reason why I am here today to express opposition to Substitute Senate Bill 113.

Prevent Blindness leads a statewide coalition of 50 organizations representing healthcare providers, hospitals, fire safety officials, businesses, veterans groups, and animal advocates called the Ohio Fireworks Safety Coalition. This large and diverse group has continually opposed fireworks discharge in the Buckeye State. Many of our coalition members are your constituents and feel strongly that this bill will result in more fireworks injuries to Ohioans.

Despite industry warnings and public service announcements, many consumers believe that if something is legalized, it is inherently safe. This is the core of our concern with Sub. SB 113. Ohio's prohibition on fireworks discharge sends a clear message to our citizens: fireworks are dangerous.

While this bill provides for some minimal safety measures in the form of a safety pamphlet and availability of safety goggles, the Consumer Product Safety Commission reported that 43% of imported fireworks tested were noncompliant containing too much load and fuse violations. 99% of consumer fireworks used in the United States are imported, with 94% coming from China. A safety pamphlet or goggles is not effective protection against defective products.

Just like there is no safe way to drive under the influence or speed, there is no safe way to use fireworks. There are thousands of serious injuries caused by discharge of consumer fireworks every year... and HALF are to innocent bystanders. According to the Consumer Product Safety Commission, injuries caused by consumer fireworks increased 56% during March-September 2020 to nearly 14,000 injuries! One-third are suffered by children.

This is not a new debate in Ohio. In fact, similar bills have been introduced in the past four General Assemblies. In each instance, advocates such as Prevent Blindness have come to the Statehouse to

share concerns and stories of fireworks injuries and fatalities. Proponents of the bill generally represent the fireworks industry and not consumers or constituents.

Currently, Ohio is one of the four safest states when it comes to backyard fireworks with a decades-long ban on consumer discharge. Passage of Sub. SB 113 in its current form opens Ohio to being among the most dangerous states.

The bill sponsors point out that it provides local local community control. But, there are just a few options including imposing restrictions on time and date of discharge, or banning consumer discharge totally, as it is today. It does not allow local communities to limit proximity of discharge to neighbors, schools, veteran's homes, animal shelters, hospitals or zoos. Also, the types of fireworks allowed to be discharged is not within local control. Consumer fireworks like bottle rockets and missiles follow an errant flight path putting innocent bystanders and property at risk.

While we appreciate the Senate's attempt to reduce the days/times in which fireworks discharge would be legal in Sub. SB 113 compared to its original version, the substitute bill still allows for individuals to discharge consumer grade fireworks including bottle rockets, missiles, roman candles and firecrackers in the state of Ohio 24 hours a day on the day of and/or surrounding New Year's Day, Chinese New Year, Cinco de Mayo, Memorial Day weekend, Juneteenth, July 4<sup>th</sup>, Labor Day and Diwali. These holidays span 10 months of the year. Likely marketing and stockpiling of fireworks would become a year-round activity.

We all believe in freedom and patriotism, but recognize that roughly half of all fireworks injuries are to innocent bystanders, not to the individual actually lighting the fireworks. Many injuries are to children and fireworks often have a very negative effect on veterans with PTSD, animal owners, and individuals with developmental disabilities. I know this is something that the bill sponsors and supporters of Sub. SB 113 do not take lightly and that concerns over public safety are likely the reason fireworks discharge remains illegal in Ohio.

If the General Assembly truly feels that discharge should be allowed in Ohio, then I would strongly encourage you to look to the prior General Assembly where House Bill 253 was amended in the Ohio Senate to move the Ohio Fireworks Safety Coalition to neutral. This was a step in the right direction, though unfortunately HB 253 did not receive a concurrence vote in the Ohio House before Lame Duck came to a close.

Passage of a bill that has not been balanced fairly to benefit citizens who want to celebrate patriotism and citizens who want optimal peace, safety and security for their neighborhoods is a stark contrast to the hard work that the Governor and General Assembly have put forth to maintain the health, security and safety of Ohioans during the pandemic.

In closing, I want to stress that, while our coalition remains opposed to fireworks discharge, we are committed to working with the bill sponsors and this committee to make this a pro-safety bill. If it is the position of the General Assembly to allow for consumer discharge in Ohio, we want to bring a constructive voice to the table.

Thank you for your time and I would be happy to answer any questions at this time.