

TESTIMONY OF JON WILLS
Substitute SB 113 —Fireworks Legalization and Regulation
June 23, 2021

Chair Stein, Vice Chair Johnson, Ranking Member Lepore-Hagan, and members of the House Commerce and Labor Committee. My name is Jon Wills, and I am Executive Director Emeritus (retired) of the Ohio Osteopathic Association. I have been a patient, physician, and public health advocate for more than 45 years, and I am testifying today as an interested party to express my on-going opposition to Substitute Senate Bill 113.

There is no totally safe way to discharge fireworks in any setting. According to the Ohio Department of Health at least 120 preventable fireworks injuries occur in Ohio each year resulting in visits to emergency rooms even with Ohio's current moratorium. Twenty-five percent of Ohio's fireworks injuries occur to young people under 15 of years of age and nearly half are inflicted on innocent bystanders who are not involved with the discharge. Firework explosions can cause traumatic reactions for an estimated 100,000 Ohio veterans suffering from Post-Traumatic Stress Disorder. Fireworks also can cause stress and anxiety for our household pets and farm animals; nearly 62 percent of Ohioans are pet owners.

While I am primarily opposed to Sub SB 113 for public safety reasons, this bill also infringes on my rights as a property owner to ensure that my family, grandchildren, pets, and home remain protected from loud fireworks explosions, property damage and personal injuries caused by the potential discharge of consumer grade fireworks in my neighbors' backyards. Irresponsible discharge of commercial grade fireworks – particularly during neighborhood parties where alcohol may be present – create an environment for possible injury and property damage as well as more intense neighborhood disputes. This bill will also cause additional enforcement dilemmas for local jurisdictions.

Even though Sub SB 113 does allow counties, cities, and some townships limited options for a total ban or time restrictions, it does not allow enough explicit authority for these jurisdictions to **(1) restrict locations for discharge, (2) limit the hours and dates for discharge, (3) prohibit the types of consumer grade products that can be discharged, and (4) establish a local permitting or licensing process where fireworks safety can be properly granted, instructed and enforced by local authorities.** The legislation, as currently drafted gives the public the false impression that discharge of 1.4G fireworks is safe if intended users wear goggles and read a free safety brochure provided by the fireworks vendor. Unfortunately, we all know how well some people follow instruction manuals. “Buyer Beware” standards do not protect a neighbor’s property and family from potential fireworks harm, period. Local ordinances and permitting processes do a much better job, even though, as stated before --- *there is no totally safe way to discharge consumer grade fireworks*. A permitting process would also give law enforcement officers the tools they need when called to adjudicate fireworks discharge complaints.

Community firework displays in Ohio currently bring people together to celebrate national holidays and other local festivities in a restricted setting managed by professionals. Although SB 113 was amended in committee to limit the discharge to certain holidays, amendments do not go far enough. Current language will continue to pit neighbor against neighbor, because there are strong feelings on both sides of fireworks discharge in neighborhood settings. I realize there are problems that need to be resolved with Ohio’s existing fireworks moratorium law, but Sub SB 113 as currently drafted creates more new problems than it resolves in terms of property rights, safety concerns and complaint resolution.

Thank you for allowing me to testify today.