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TESTIMONY OF SHERILL K. WILLIAMS
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SB 113—Fireworks Legalization and Regulation
May 11, 2021

Chairman Hoagland, Vice Chair Johnson, Ranking Member Thomas, and Members of the Veterans and Public Safety Committee, thank you for the opportunity to offer testimony regarding Senate Bill 113. I am here today on behalf of the volunteers and advocates who support Prevent Blindness Ohio.

The Ohio Affiliate of Prevent Blindness (PBO) is a charitable non-profit 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 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 Senate Bill 113.

Prevent Blindness leads a statewide coalition of 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.

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.

Senate Bill 113 would make several changes to Ohio's fireworks laws, including legalizing discharge statewide with no restrictions. There are also some industry-related changes impacting licensure and regulation. In general, we have no position or concern with the industry provisions of SB 113. Our concern comes after a consumer leaves a fireworks retailer and heads home.

Let me state the obvious – some Ohioans disregard the prohibition on discharge and will let off fireworks during celebrations around Independence Day, New Years Eve, or other events. We often equate the prohibition on discharge to speed limits or drunk driving. While illegal, some individuals choose to ignore the speed limit or drive while impaired. And unfortunately, those decisions can have tragic outcomes not only for that individual but for others nearby. Much like the speed limit or laws prohibiting drunk driving, Ohio's prohibition on fireworks discharge sends a clear message to our citizens: fireworks are dangerous.

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 SB 113 . We have seen injuries increase in other states once discharge has been legalized. Roughly half of all fireworks injuries are to innocent bystanders, not to the individual actually light 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 SB 113 do not take lightly and that concerns over public safety are likely the reason fireworks discharge remains illegal in Ohio.

You may recall from sponsor and proponent testimony that Ohio is one of four states that prohibits discharge. However, nearly every other state that does permit discharge places safeguards and limits on fireworks usage. Many restrict the times of year to days before and after the Fourth of July, others prohibit aerial devices, and some allow for strong local regulation. According to the American Pyrotechnics Association website, only four other states allow for open-ended discharge as prescribed in SB 113 – Alaska, Wyoming, Pennsylvania and West Virginia. Ohio would go from being one of the safest states to being among a small handful of the most dangerous states.

If the General Assembly truly feels that discharge should be allowed in Ohio, then I would strongly encourage you to look to other states and consider limits and safeguards for SB 113 . In fact, in the prior General Assembly, 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 Lane Duck came to a close.

In closing, I want to stress that, while our coalition remains opposes 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.