

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
127<sup>th</sup> LEGISLATURE  
SECOND REGULAR SESSION**

**REPORT OF THE STATE FIRE MARSHAL'S OFFICE ON THE SALE and USE OF CONSUMER  
FIREWORKS IN MAINE FOR 2015**

**Joint Standing Committee on Criminal Justice and Public Safety**

**FEBRUARY 2016**

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## EXECUTIVE SUMMARY

The use, possession or sale of consumer fireworks became legal with the passage of Chapter 416, LD 83 “An Act to Legalize the Sale, Possession and Use of Fireworks” during the first session of the 125<sup>th</sup> Maine Legislature. The law took effect on January 1, 2012.

In 2014 the Office of State Fire Marshal (FMO) attempted to gather better data on fireworks-related injuries and burns by working with the Bureau of Emergency Medical Services (EMS) to get data from their reporting system. Data reports from the EMS system started being sent to the Maine Fire Marshal on January 22, 2014. Any EMS reports that are entered with a code involving fireworks are now automatically sent to the Fire Marshal. However, the drawback to this data source is that the EMS data only records those injured people that are transported by an ambulance.

## LICENSING

In 2015, twenty-four stores were successfully licensed for a total of \$53,000.00. This includes four new stores that were licensed in 2015.

## TOWN ORDINANCES

As required in statute, municipalities choosing to restrict or prohibit the sale and or use of consumer fireworks, or those permitting the sale of consumer fireworks must provide the FMO with a copy of the ordinance. At the conclusion of 2015, the FMO had received a total of 82 municipal ordinances, which was an increase of 6 ordinances from 2014. The ordinance documents are available from the FMO website at this webpage: <http://www.maine.gov/dps/fmo/fireworks/ordinances.htm>.

## CONSUMER FIREWORKS-RELATED INJURIES AND FIRES

A single voluntary injury report was created in 2014 (Appendix A) to capture fireworks injury data from hospitals and clinics. Five injury reports were sent to the FMO. The FMO collected information from the EMS reporting system. **These reports indicate that 8 individuals were transported to medical facilities for treatment of injuries that included burns, lacerations, traumatic injuries and one fatality** (Appendix B). The EMS reports only collect data on those people transported by an ambulance, and don't capture data on injured people who self-transport to a hospital or who don't go to a health care provider at all. As a result of potential injury reporting uncertainty, the reported number of injuries is not considered by the FMO to be accurate injury data.

Maine's first fatality due to fireworks since they became legal occurred on July 4, 2015 when a Calais man placed a mortar tube on his head and set off the fireworks.

There were seven fires reported by Maine's fire departments, as of 01/27/16, to be caused by fireworks (Appendix C). This was a decrease of four fires from 2014. However, 2015 fire department reports can be submitted until July 2016. A final summary of fire causes will be published in the 2015 Annual Report of the Maine State Fire Marshal in the fall of 2016.

The Maine Forest Service reported four fires in 2015 that were caused by fireworks (Appendix D).

**MAINE FIRE MARSHAL'S OFFICE  
CONSUMER FIREWORKS INJURY REPORT**



The Office of the Fire Marshal would greatly appreciate the assistance of Maine's medical community in tracking consumer fireworks related injuries. The purpose of reporting these injuries is to assist the Fire Marshal in developing any necessary statutory, rule, or policy changes essential to minimizing the frequency of fireworks injuries in Maine. For more information call (207) 626-3873. Thank you.

**Demographic Information:**

**Hospital/Clinic Name:** \_\_\_\_\_

**Date of Injury (month/day/year):** \_\_\_\_\_

**Municipality in which the injury occurred:** \_\_\_\_\_

**Age**

0 – 4     5 – 14     15 – 20     21 - 25     26 – 44    45 and older

**Type of Device:**

- Hand-held (sparkler, firecracker, roman candle, smoke bomb, ground spinner)
- Display (stationary mortar, wheel, missile rocket, fountain)
- Other \_\_\_\_\_

**Reason for Injury:**

- Bystander (not involved with igniting device)
- User error (mishandled, relit fuse, device not set up correctly, throwing, etc.)
- Device malfunctioned (errant flight pattern, uncontained explosion)
- Other \_\_\_\_\_

**Severity of Injury (circle one only)**

1. No injury
2. Minor (1<sup>st</sup> degree burn, minor cut (no stitches), bruising)
3. Moderate (2<sup>nd</sup> degree burn, laceration (stitches), broken bone)
4. Significant injury (3<sup>rd</sup> degree burn, partial or total loss of digit, hearing or sight)
5. Fatality

**Body Part Injured (check one):**

- Head/face
- Extremity
- Torso

**Comments**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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FOR AN ONLINE POSTING OF THIS FORM AND MORE INFORMATION ON CONSUMER FIREWORKS IN MAINE SEE: <http://www.maine.gov/dps/fmo/fireworks/index.html>

# Appendix B

## EMS Fireworks Injury Reports for 2015

DATE	GENDER	AGE	INJURY
1/1/2015	M	23	Traumatic hand injury
7/4/2015	M	22	Head trauma - <b>(FATAL)</b>
7/4/2015	M	22	Face, torso and wrist injuries
7/4/2015	M	22	Burns and lacerations to hand and wrist
7/4/2015	F	52	Leg injury - (spectator in crowd)
8/17/2015	M	24	Eye injury (burns and abrasions)
11/28/2015	M	21	Traumatic head injury (facial)
12/20/2015	M	43	Traumatic head injury (facial)

# Appendix C

**Selected Coded Field:** Fire: Heat Source

**Report Period:** From 01/01/2015 to 12/31/2015

CODE	Description	FREQ	FREQ %	EXPs	CIV DTHS	CIV DTHS %	CIV INJS	CIV INJS %	FF DTHS	FF DTHS %	FF INJS	FF INJS %	PROP LOSS	PROP LOSS %	CONT LOSS	CONT LOSS %	TOTAL LOSS	TOT LOSS %
54	Fireworks	7	100.00 %	0	0	0.00 %	0	0.00 %	0	0.00 %	0	0.00 %	1	100.00 %	1	100.00 %	2	100.00 %
<b>Totals</b>		7	100 %	0	0	0 %	0	0 %	0	0 %	0	0 %	1	100 %	1	100 %	2	100 %
<b>Mutual Aid Given Incidents</b>		0																

NOTE: the listed civilian death and injury data is from fire service reports, which may not have accurate data when sent to the State Fire Marshal's Office. The data is not based on State Fire Marshal investigations. Fire-related deaths may occur up to a year after the incident.

## Appendix D

### Maine Forest Service Fireworks Fire Reports for 2015

Fire_Discovery_Date	Incident_Name	COUNTY	CAUSE	Acre_Quantity
07/05/2015	Sandcove	Aroostook	FIREWORKS	0.20
07/05/2015	Fireworks	Aroostook	FIREWORKS	0.10
08/01/2015	Murray Road	Hancock	FIREWORKS	0.10
08/02/2015	64 Fire	Washington	FIREWORKS	0.10