

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
128<sup>th</sup> LEGISLATURE  
FIRST REGULAR SESSION**

**REPORT OF THE STATE FIRE MARSHAL'S OFFICE ON THE SALE and USE OF CONSUMER  
FIREWORKS IN MAINE FOR 2016**

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

**FEBRUARY 2017**

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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 2016, twenty-three stores were successfully licensed for a total of \$38,000.00. This includes one new store that was licensed in 2016.

## 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 2016, the FMO had received a total of 101 municipal ordinances, which was an increase of 19 ordinances from 2015. However, much of this increase was due to Internet searches that found additional town ordinances referenced online. The FMO contacted these towns directly and had them send copies of the ordinances to the office. 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 in 2016. The FMO collected information from the EMS reporting system. **These reports indicate that nine individuals were transported to medical facilities for treatment of injuries that ranged from significant head trauma to burns.** 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.

As of 02/22/17, there were twenty-five fires in 2016 reported by Maine's fire departments that were determined to be caused by fireworks (Appendix B). This was an increase of eighteen fires from 2015. However, 2016 fire department reports can be submitted to the FMO until July 2017. A final summary of fire causes will be published in the 2016 Annual Report of the Maine State Fire Marshal in the fall of 2017.

The Maine Forest Service reported eleven fires in 2016 that were caused by fireworks (Appendix C).

**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

## NFIRS 5.0 National Reporting System

*Selected Coded Field:* Fire: Heat Source

*Report Period:* From 01/01/2016 to 12/31/2016

Code	Description	Number of Incidents
54	Fireworks	25

# Appendix C

## Maine Forest Service Fireworks Fire Reports for 2016

Fire_Discovery_Date	Incident_Name	COUNTY	CAUSE	Acre_Quantity
04-Jul-16	Firesparks	Washington	Fireworks	1.00
04-Jul-16	Chain Lake Fire	Washington	Fireworks	0.30
05-Jul-16	Coffin's Neck Fire	Washington	Fireworks	0.30
15-May-16	Marden Pond Fire	Penobscot	Fireworks	0.10
19-Mar-16	Davidson	Oxford	Fireworks	0.10
21-May-16	Bird Hill	Oxford	Fireworks	0.10
19-Jun-16	Casco Burnt Feet	Cumberland	Fireworks	0.25
21-Apr-16	Hopkins Fireworks	Cumberland	Fireworks	0.50
22-Apr-16	Rite-Aid	Knox	Fireworks	0.10
18-Jun-16	Fang Island	Knox	Fireworks	0.10
26-Jun-16	Firecracker	Kennebec	Fireworks	0.10