

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
128<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 2017**

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

**MARCH 2018**

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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. Plantations could adopt consumer fireworks ordinances with the passage of LD 3 “An Act to Grant Plantations the Power to Control Consumer Fireworks” during the first session of the 128<sup>th</sup> Maine Legislature in 2017. That law took effect on March 24, 2017.

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 2017, twenty-four stores were successfully licensed for a total of \$36,000.00.

## TOWN ORDINANCES

As required in statute, Maine 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 end of 2017, the FMO documented a total of 107 municipal ordinances, which is an increase of 6 ordinances from 2016. However, much of this increase was due to Internet searches that found additional town ordinances referenced online that were not submitted to the FMO office. The ordinance documents are available from the FMO website on 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. Six injury reports were sent to the FMO in 2017. The FMO collected information from the EMS reporting system. **These reports indicate that five individuals were transported to medical facilities for treatment of injuries, and the victims ranged from 3 to 70 years of age.** 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. Because of potential injury reporting uncertainty, the reported number of injuries is not considered by the FMO to be accurate injury data.

As of 03/01/18, there were seven fires in 2017 reported by Maine's fire departments that were determined to be caused by fireworks (Appendix B). This was a decrease of twenty fires from 2016. However, 2017 fire department reports can be submitted to the FMO until July 2018. A final summary of fire causes will be published in the 2017 Annual Report of the Maine State Fire Marshal in the fall of 2018.

The Maine Forest Service reported seven fires in 2017 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 01/01/2017 to 12/31/2017

Code	Description	Number of Incidents
50	Fireworks, other	2
54	Fireworks	5

<b>Cause of fire-Fireworks</b>	5 incidents	\$100,000.00 property loss
		\$25,000.00 contents loss
<b>Cause of fire-Fireworks, other</b>	2 incidents	\$2,500.00 property loss
		\$0.00 contents loss
	7 total incidents	\$127,500.00 total loss

# Appendix C

## Maine Forest Service Fireworks Fire Reports for 2017

<b>Fire_Discovery_Date</b>	<b>Incident_Name</b>	<b>COUNTY</b>	<b>CAUSE</b>	<b>Acre_Quantity</b>
7/24/2017	Nepp Point Fire	Washington	Fireworks	0.1
7/9/2017	Marshy Corner	Kennebec	Fireworks	0.3
5/13/2017	Firecracker	Kennebec	Fireworks	0.1
5/18/2017	Pelletier	Somerset	Fireworks	0.7
5/21/2017	Salt Pond	Knox	Fireworks	0.1
7/22/2017	55 Fire	Waldo	Fireworks	1
8/14/2017	Indian Point	Lincoln	Fireworks	0.2
			Total Acres Burned: 2.50	