

MAINE STATE LEGISLATURE

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**STATE OF MAINE
129th LEGISLATURE
SECOND REGULAR SESSION**

**REPORT OF THE STATE FIRE MARSHAL'S OFFICE ON THE SALE and USE OF
CONSUMER FIREWORKS IN MAINE FOR 2020**

Joint Standing Committee on Criminal Justice and Public Safety

March 1, 2021

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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 125th 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 128th 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 2020, eighteen consumer fireworks retail stores were successfully licensed for a total of \$27,000.

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. Documents are available from the FMO website on this webpage:

<https://www.maine.gov/dps/fmo/fireworks/ordinances>.

CONSUMER FIREWORKS-RELATED INJURIES AND FIRES

The Fire Marshal’s Office collected fireworks related fire and injury data through its National Fire Incident Reporting System (NFIRS), the Maine Emergency Medical Management system (EMS) and Maine’s Forest Service. EMS reports indicate that fourteen individuals were transported to medical facilities for treatment of injuries, and the victims ranged from five to forty-one years of age. Because the EMS data only provides the count of individuals injured and transported to a hospital for fireworks related injuries, the data is considered baseline data more likely to be an undercount of actual injuries. (see Appendix C)

As of 04/05/2021, there were six fires in 2020 reported by Maine’s fire departments that were determined to be caused by fireworks (Appendix B). This was a decrease of six incidents from 2019¹. A final summary of fire causes will be published in the 2020 Annual Report of the Maine State Fire Marshal in the spring of 2020.

The Maine Forest Service reported 20 fires destroying 5.1 acres in 2020 that were caused by fireworks (Appendix D).

¹ Fire department reports for 2020 can continue to be submitted to the Fire Marshal’s Office until July of 2021.

Appendix A

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 (1st degree burn, minor cut (no stitches), bruising)
3. Moderate (2nd degree burn, laceration (stitches), broken bone)
4. Significant injury (3rd 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: <https://www.maine.gov/dps/fmo/fireworks>

Appendix B

Fires

NFIRS 5.0 National Reporting System

Selected Coded Field: Fire: Heat Source

Report Period: From 01/01/2020 to 12/31/2020

Code (Heat Source of fire)	Description	Number of Incidents
54	Fireworks	6

Appendix C

EMS Fireworks Injury Reports for 2020

Date	Gender	Age	Injury
July 6, 2020	Male	29	Pain - Eye
August 1, 2020	Male	41	Injury – Wrist, Hand, Fingers
July 4, 2020	Male	23	Injury – Wrist, Hand, Fingers
July 4, 2020	Female	32	Injury – foot
July 4, 2020	Male	29	Trauma – Burn, general
July 4, 2020	Male	31	Pain – Chest wall
August 11, 2020	Female	5	Trauma – Burn, general
December 16, 2020	Male	25	Trauma – Burn, general
June 5, 2020	Male	24	Trauma – Burn, general
September 6, 2020	Male	26	Injury – Eye/orbit
November 11, 2020	Male	23	Skin – Burning, prickly, tingling
August 1, 2020	Male	41	Trauma – Burn general
June 26, 2020	Male	34	Trauma – Burn, general
June 5, 2020	Male	24	Trauma - Burn, general

Appendix D

Maine Forest Service Fireworks Fire Reports for 2020

Count by Region and Acres Destroyed

Cause	Southern Region		Central Region		Norther Region		Statewide	
	Fires	Acres	Fires	Acres	Fires	Acres	Fires	Acres
Fireworks	12	1.7	7	3.3	1	0.1	20	5.1

Damages

Natural Resource Property Damage (damage to wildlands)	Reap Property Damage (homes, sheds, automobiles)	Total Cost of Extinguishing Fires
3,000	710	\$12,501