

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)



**STATE OF MAINE  
130<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 2021**

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

**March 1, 2022**

**Staff:**

Jane Orbeton, OPLA Analyst  
Suzanne Voynik, OPFR Analyst  
Daniel Tartakoff, OPLA Analyst  
Deborah Fahy, Committee Clerk

Committee on Criminal Justice and Public Safety  
c/o Legislative Information  
100 State House Station  
Augusta, Maine 04333

**MEMBERS:**

SEN. Susan Deschambault, Chair  
SEN. Scott Cyrway  
SEN. Mark Lawrence  
REP. Charlotte Warren, Chair  
Rep. Grayson Lookner  
Rep. Victorian Morales  
Rep. Daniel Newman  
Rep. Danny Costain  
Rep. Lois Reckitt  
Rep. Richard Pickett  
Rep. Bill Pluecker  
Rep. Braden Sharpe  
Rep. Shelley Rudnicki

**Prepared by Richard E. Taylor, Senior Planning and Research Analyst  
Office of the Maine State Fire Marshal**

# Table of Contents

	Page
<b>Executive Summary .....</b>	<b>1</b>
<b>Licensing .....</b>	<b>1</b>
<b>Town Ordinances.....</b>	<b>1</b>
<b>Consumer Fireworks-Related Injuries and Fires .....</b>	<b>1</b>
<b>Appendix A: Consumer Fireworks Injury Report</b>	
<b>Appendix B: 2020 NFIRS Fireworks data for 2021 (as of 2/23/2022)</b>	
<b>Appendix C: 2021 EMS Injury Reports</b>	
<b>Appendix D: Maine Forest Service Fireworks Fire Reports for 2021</b>	

## 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 2021, 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. There were no new ordinances or towns added in 2021. Documents are available from the FMO website on this webpage: <https://www.maine.gov/dps/fmo/inspections/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 three individuals were transported to medical facilities for treatment of injuries, and the victims ranged in age from five to fifty. 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 2/23/2022, there were seven fires in 2021 reported by Maine’s fire departments that were determined to be caused by fireworks (Appendix B). This was an increase of one incident from 2020<sup>1</sup>. These fires required the attention of an average ten first responders working 573 hours total in addition to an average four units of apparatus per incident in 2021 to put out these fires. A final summary of fire causes will be published in the 2021 Annual Report of the Maine State Fire Marshal in the spring of 2021. The fires cost an additional \$70,000 in property and contents loss.

The Maine Forest Service reported eight fires destroying 0.9 acres in 2021 costing \$4,056.92 in damage (see Appendix D). In the last seven seasons, the Maine Forest Service has recorded 4,391 total fires with 58 of them being started by fireworks. An average of 1.32% each year.

Maine’s hospitals reported no fireworks related injuries in 2021.

---

<sup>1</sup> Fire department reports for 2021 can continue to be submitted to the Fire Marshal’s Office until July of 2022.

# 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 (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

---



---



---

MAIL/FAX COMPLETED FORMS TO: Richard E. Taylor, Senior Research and Planning Analyst  
 Office of the Maine State Fire Marshal  
 52 State House Station  
 Augusta, Maine 04333-0052  
 Phone: (207) 626-3873 Fax: (207) 287-6251  
 Richard.e.taylor@maine.gov

FOR AN ONLINE POSTING OF THIS FORM AND MORE INFORMATION ON CONSUMER

# Appendix B

## Fires

### NFIRS 5.0 National Reporting System: Fireworks 2021

#### Manpower and Equipment Used to Fight Fireworks Related Fire Incidents

Frequency		Exposures	Average Number							Total Man Hours	Average Response Time (min)
			Personnel			Apparatus			Man Hours		
#	%		Suppression	EMS	Other	Suppression	EMS	Other			
7	0.28%	0	7.43	0.29	2.14	2.71	0.14	0.86	81.89	573.20	4.00

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

**Report Period:** From 01/01/2021 to 12/31/2021

#### Property and Contents Dollar Losses from Fireworks Related Fires

Code	Description	Frequency	Property Loss		Contents Loss		Total Loss	
		#	#	%	#	%	#	%
419	1 or 2 family dwelling	2	45,000	99.8%	25,000	100.0%	70,000	99.9%
669	Forest, timberland, woodland	1	0	0.0%	0	0.0%	0	0.0%
931	Open land or field	2	0	0.0%	0	0.0%	0	0.0%
938	Graded and cared-for plots of land	1	0	0.0%	0	0.0%	0	0.0%
963	Street or road in commercial area	1	100	0.2%	1	0.0%	101	0.1%
<b>Totals</b>		<b>7</b>	<b>45,100</b>	<b>100.0%</b>	<b>25,001</b>	<b>100.0%</b>	<b>70,101</b>	<b>100.0%</b>

## Appendix C

### EMS Fireworks Injury Reports for 2020

<b>Date</b>	<b>Gender</b>	<b>Age</b>	<b>Injury</b>
July 17, 2021	Female	5	Hit in the back with firework, burned back
August 29, 2021	Male	50	Firework exploded in hand partially severing hand
November 5, 2021	Male	50	Firework exploded in hand removing his thumb, and tips of two fingers

## Appendix D

### Maine Forest Service Fireworks Fire Reports for 2021

#### Count by Region and Acres Destroyed

<b>Cause</b>	<b>Southern Region</b>		<b>Central Region</b>		<b>Norther Region</b>		<b>Statewide</b>	
	<b>Fires</b>	<b>Acres</b>	<b>Fires</b>	<b>Acres</b>	<b>Fires</b>	<b>Acres</b>	<b>Fires</b>	<b>Acres</b>
<b>Fireworks</b>	<b>8</b>	<b>0.9</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>8</b>	<b>0.9</b>

#### Damages

<b>Natural Resource Property Damage (damage to wildlands)</b>	<b>Reap Property Damage (homes, sheds, automobiles)</b>	<b>Total Cost of Extinguishing Fires</b>
<b>\$400.00</b>	<b>0</b>	<b>\$4,056.92</b>