



**STATE OF MAINE
130th LEGISLATURE
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**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

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Table of Contents

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

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 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 2020¹. 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.

¹ 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 (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

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%
Totals		7	45,100	100.0%	25,001	100.0%	70,101	100.0%

Appendix C

EMS Fireworks Injury Reports for 2020

Date	Gender	Age	Injury
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

Cause	Southern Region		Central Region		Norther Region		Statewide	
	Fires	Acres	Fires	Acres	Fires	Acres	Fires	Acres
Fireworks	8	0.9	0	0.0	0	0.0	8	0.9

Damages

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