

Agricultural & Rural Affairs: Prohibiting Consumer Fireworks in Pennsylvania
Senate Bill 1

Article 1:

Should We Ban Fireworks? Let's Look at the Pros and Cons

By: Ned Lannamann September 5, 2017

Most fireworks are illegal in Oregon. The ones that aren't are pretty benign. But as anyone who's lived through a Fourth of July in Oregon knows, there are plenty of residents who ignore this law outright, buying illegal fireworks in Washington and lighting them at home without fear of repercussion.

This is against the law, and there is a penalty for breaking it:

Under Oregon law, officials may seize illegal fireworks fining offenders up to \$1000 per violation including possession of illegal fireworks and endangering life and property. Offenders may also be arrested. Any fireworks causing damage or misuse of fireworks carries a liability for the offender, who may be required to pay for resulting fire or other damage. Parents are liable for fireworks-caused damage by their children. Costs may include assessed fines as well as the cost of suppressing fireworks-caused fires.

Here's an outline of what is and isn't legal in Oregon. As you can see, most of the dangerous ones are prohibited.

But the Eagle Creek disaster should have us reexamining our fireworks laws, because they're not working. An OPB report indicates that a smoke bomb—an unclassified "novelty" item according to the chart above—may have been responsible in part for the blaze. I don't think anyone would disagree that it's imperative to prevent something similar from happening ever again. Still, as with all changes to law, a debate is needed. Since some people fucking love fireworks, it's only fair to weigh their pros and cons. Cons, you go first!

CONS

- They damage personal property—in some cases, catastrophically.
- They damage public property—in some cases, catastrophically.
- They create trash; the parties responsible usually do not clean up the remains.
- They terrorize our pets, very literally.
- They blow up the fingers and hands of users, even the most experienced and careful among them.
- They disrupt our neighbors with noise.
- They cause stress and worry, both in the fear of their potential danger and the suddenness of their noise. Our most vulnerable citizens, including children and war veterans, are the ones most susceptible to this stress.
- They're bad for the environment.
- They smell.
- Their packaging often enforces racial stereotypes.

- They, on occasion, can burn down close to 5,000 10,000 acres of gorgeous and scenic land (so far), cause unimaginable damage to our natural resources, cause unimaginable strain to our public resources, create states of emergency, bring our infrastructure to a skidding halt, make the air unfit to breathe, block traffic, disrupt commerce, potentially ruin the tourism-based economies of our small towns, strand 153 hikers overnight in an incredibly dangerous and traumatic event, decimate sites that bring pride and wonder to the region, threaten our homes, dirty our streets, kill untold thousands (perhaps millions?) of wild animals and insects, encroach upon our vital water supply, and make vast swaths of pristine wilderness uninhabitable for all living things.

PROS

- They momentarily distract the most primitive part of our lizard brains with 1 to 2 seconds of sparkly lights and boom sounds. End of list.

Since the “pro” effects can be effectively mimicked—with much less overall damage—with a simple blow to the head from a two-by-four, the choice seems obvious. We must ban fireworks, completely and without exception, in both Oregon and Washington. Possession of any and all fireworks should be a misdemeanor. Use of them, in any circumstance, should be a felony. For those who insist it’s their Jesus-given American right to light up fireworks, perhaps every Fourth of July we can set up Patriot Stations, where interested parties can line up and have a large wooden beam cracked across their skull. Everybody wins!

Ban fireworks now.

<https://www.portlandmercury.com/news/2017/09/05/19294535/should-we-ban-fireworks-lets-look-at-the-pros-and-cons>

Article 2:

Efforts to change Pa. fireworks law haven’t fizzled out. House, Senate committees to hear feedback

By: Marley Parish December 12, 2021

After years of pleas from residents, municipalities, and first responders — and failed legislative attempts — reform could be coming to Pennsylvania’s fireworks law.

The [House](#) and [Senate](#) Agriculture and Rural Affairs committees will hold a joint hearing [this Wednesday](#) at 9 a.m. to discuss fireworks regulations, which have prompted safety concerns across the commonwealth since the state legalized their sale and use in 2017.

Existing law prohibits the use of fireworks on any property without the owner’s permission, from inside a car or construction, toward a vehicle, home, or person, or within 150 feet of a home or office building.

However, the expanded law, meant to serve as an added state revenue source, prompted concern as communities experienced increased injuries, fires, and noise complaints tied to fireworks.

Earlier this year, Sen. Gene Yaw, R-Lycoming, the author of Pennsylvania’s [fireworks law](#), accused local authorities of trying to “pass the buck” instead of enforcing the law — arguing that it’s as simple as mandating traffic laws.

But after a series of fireworks-related incidents happened over Independence Day weekend, Yaw said he was [open to more restrictive policies](#).

In March, Rep. Peter Schweyer, D-Lehigh, proposed [legislation](#) repealing the 2017 fireworks law. Schweyer, who voted in favor of the 2017 legislation, said he proposed the repeal in response to community concerns.

The 2017 legislation intended to create a revenue source for the state and let Pennsylvanians use “more powerful fireworks.” But the law resulted in irresponsible use, Schweyer wrote in a memo.

Thirty-one lawmakers, including one GOP sponsor Rep. Tim Hennessey, R-Chester, signed on as co-sponsors, but it has not left the [House Agriculture and Rural Affairs Committee](#).

In a [July memo](#), Yaw asked colleagues to support legislation to offer guidance to local governments on reasonable controls for using fireworks, implement time restrictions on discharging them, and increase the criminal penalties for selling or using consumer fireworks in violation of the [law](#).

Last year, Sen. Judy Schwank, D-Berks, said Pennsylvania’s existing fireworks law is “broken” and suggested repealing it.

“Too many of our residents are getting hurt and even killed,” she said in a [statement](#), which came one year after she introduced legislation that would let municipalities regulate fireworks. The [bill](#) never moved out of the [Senate Agriculture and Rural Affairs Committee](#).

Sen. Elder Vogel, R-Beaver, who chairs the Senate panel, [sponsored legislation in 2015](#) to legalize the sale and use of consumer fireworks, calling it a “common sense” proposal.

Vogel’s district is also home to two of the country’s largest fireworks production companies, [Zambelli Fireworks](#) and [Pyrotecnico](#). Both companies are headquartered in New Castle, Lawrence County, dubbed the “[Fireworks Capital of America](#).”

But support for reform hasn’t fizzled out.

Sen. Mario Scavello, R-Monroe, became the latest lawmaker to propose legislation for more restrictive fireworks use.

In a [Dec. 3 memo](#) to colleagues seeking support, Scavello announced plans to amend the fireworks law, citing increased fireworks-related injuries and property loss since 2017.

“My office has received many complaints about fireworks activity from residents, especially seniors, veterans, parents with small children, and people with pets,” he wrote. “We have also heard from municipal officials and emergency service personnel who have also raised concerns.”

The forthcoming bill would restrict fireworks from 7 a.m. to 11 p.m. on Memorial Day, Independence Day, and Labor Day, and from 7 p.m. to 1 a.m. on New Year’s Day.

Scavello’s proposal also outlines setbacks for consumer-grade fireworks to 500 feet per residential property line and 2,500 feet per farm property line. A portion of the tax revenue generated from the sale of fireworks would go to municipalities to support enforcement.

“This legislation makes changes to current law to allow for the use of fireworks while helping to ensure public safety and peace,” Scavello wrote.

<https://www.penncapital-star.com/government-politics/efforts-to-change-pa-fireworks-law-havent-fizzled-out-house-senate-committees-to-hear-feedback/>