

December 7, 2021

To:
Members of Pennsylvania House Senate
Agriculture and Rural Affairs Committee

From:
Susan Moon
751 Broad Run Road
Landenberg, PA 19350

Dear Members of Pennsylvania House Senate
Agriculture and Rural Affairs Committee,

Since the Pennsylvania fireworks law was changed in 2017 there have been uncounted tragedies as a result of this terrible law. Fireworks go off at random times of year in random places and take people by terrifying surprise, causing injury, fire, pollution, and serious nuisance. Damages from fireworks are avoidable, but unfortunately today, the very minimal regulations that apply to domestic fireworks use, cannot be effectively enforced. Currently legal, "consumer grade" fireworks are very frequently mixed up with "display grade" fireworks, which ATF has jurisdiction over, and as a result, the current fireworks law makes enforcement of even federal fireworks law untenable. Furthermore, fireworks sounds are often confused with the sounds of gunfire. Therefore, the proliferation of fireworks into Pennsylvania communities has led to great difficulties with enforcement of both gun and fireworks laws.

Once peaceful communities, have become destabilized, as inconsiderate, sometimes illegal, and often-times weaponized use of fireworks has grown substantially in the last couple of years all over the state. Pennsylvania needs to create reasonable and enforceable law regarding fireworks now, before more damage is done. I urge you to repeal and replace Pennsylvania's current fireworks law as soon as possible.

The fireworks provisions of Act 43 of 2017 are terrible for Agriculture. Besides the injuries and terror consumer grade fireworks cause livestock, there is the pollution to contend with. Consumer fireworks contain heavy metals and other harmful substances that fallout onto crops, forage and waterways. For days after heavy fireworks use, visible pollution lingers in the air. Debris from consumer fireworks have been found in farmers' fields, can be ingested by livestock, baled into hay, and tangled in equipment.

On a personal note, like many people, I have enjoyed professional fireworks displays for most of my life. As of Labor Day of 2019 that all changed for me. On an otherwise peaceful Sunday night, my promising young horse was severely injured due to my neighbor's use of aerial fireworks. Because of Pennsylvania's newly lax fireworks laws, I along with many others, experienced grave trauma, that would not have occurred, if this ill-conceived legislation had never been promulgated. I have been financially and emotionally damaged. Chester County, Pennsylvania is known world-wide for the strength of its equine industry. This fireworks law has largely ruined Pennsylvania for a multi-billion-dollar segment of Pennsylvania's economy. Many of us will be forced to move away, taking our money, our support of local businesses, and the jobs we create with us.



Hero jumping in Europe



Consumer grade fireworks



Injury to Hero in Pennsylvania

Unfortunately, as currently written, the law is practically unenforceable. Police often tell victims that they have to personally see fireworks go off, and also see who did it in order to charge a crime. They apparently can't help very much when people are damaged by other's misuse of fireworks. While Senator Yaw, complains that police do not want to enforce the law he supposedly wrote, in all practical ways, the law has precisely no teeth. One wonders why the Pennsylvania legislature thinks it's a good idea to pit neighbors against neighbors in this way, with only civil remedies to help them. It only leads to more conflict, more trauma, more damage, and more violence.

Why would a fraction of a dollar per year, per resident of tax revenue be worth the terror and damage that the fireworks provisions of Act 43 of 2017 have brought on for communities and agriculture all across PA? The cost to Pennsylvanians is greater than any purported benefit of the law. It only really benefits the fireworks industry, which is greedily preying off of consumers who crave the next dopamine hit. It seems that often, it matters not, to the thrill-seeker, what terror and pain backyard, back-alley, or randomly-timed consumer aerial fireworks cause to others.

The problem has reached a federal scale, with ATF unable to determine if complaints are for display or consumer level fireworks, even when provided with video evidence. Both grades currently include aeriels and are only distinguishable from one another by pyrotechnics experts, and not always in an actionable way. Neighboring states have had enough. Aerial fireworks, purchased in Pennsylvania are regularly launched in states where their use is prohibited. Like other industries that profit off of vice, the fireworks industry has damaged far more people than their target consumer. Through their lobbying, the fireworks industry has been allowed to weaken fireworks laws region-by region, leaving ruined peace in their wake. Aerial pyrotechnics in the hands of amateurs are overly-powerful, are often weaponized, but are marketed by the industry and treated by consumers as playthings. The chaos they wreak knows not even the bounds of state.

Pennsylvanians deserve to live in peaceful communities, where reasonable fireworks laws are enforced. Farmers have the right to farm without fear of their valuable animals and products being destroyed by consumer-grade aerial fireworks. The budget excuse for the fireworks provisions of Act 43 of 2017 are now largely moot. Let us leave patriotic pyrotechnics shows to the professionals. Let us agree that displays should be for celebration of our country and communities, and not for destruction of them. The cost to Pennsylvanians caused by this ill-fated law far outweigh any benefit. It is well past time correct this! Repeal and replace the fireworks provisions of Act 43 of 2017!

Sincerely,

Susan E. Moon
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