

NEW JERSEY

Fireworks sales boom in New Jersey as revenue, injuries skyrocket nationwide

[Svetlana Shkolnikova](#) NorthJersey

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Last year's legalization of consumer fireworks has been great for business.

"Sales are booming," said Sherri Simmons, a spokeswoman for TNT Fireworks, the largest fireworks distributor in the country. "People in New Jersey have been very responsive."

TNT Fireworks has set up some two dozen stands and tents in the state since the company successfully lobbied to allow the sale of handheld or ground-based non-explosive fireworks to anyone 16 and older in New Jersey.

State sales figures were not available, but consumer fireworks revenue nationwide is expected to hit a record \$900 million this year, an increase of about \$15 million from last year, according to the American Pyrotechnics Association.

"The sales for 2018 will be helped by New Jersey, Pennsylvania and Delaware," said Julie L. Heckman, executive director of the trade group.

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In May, Delaware legalized small, non-explosive fireworks for limited use between July and December. Pennsylvania expanded its law in October to include explosive fireworks, such as mortars, rockets and firecrackers.

New Jersey was among the last of 11 states to join a wave of fireworks legalization that began in 2011, Heckman said.

Massachusetts, home to the headquarters of the National Fire Protection Association, is now the only state in the country with a complete ban on all types of fireworks.

The association estimates that consumer fireworks start an average of 18,500 fires per year, including 1,300 structure fires, 300 vehicle fires and 16,900 brush or outdoor fires. They cause an average of three deaths, 40 civilian injuries and \$43 million in property damage.

“Our tagline is, ‘Leave fireworks in the hands of the professionals,’ ” said Robert Duval, director of the northeast region for the association. “Even in states where they limit the types of fireworks, like New Jersey, they still get into the hands of people who probably shouldn’t be shooting them.”

Story continues below graphic

Emergency rooms treated 12,900 fireworks-related injuries last year, most of them during the month surrounding the Fourth of July, according to a report released by the U.S. Consumer Product Safety Commission last week. Sparklers, which can burn to temperatures of up to 2,000 degrees, caused the most injuries during that period, as well as the death of a 4-year-old girl in Wisconsin.

More than one-third of the injured are children under 15 years old, according to the report. The most common injuries were burns to the hands, fingers and arms.

“It’s always the kids,” Duval said. “These fireworks are supposed to be ‘safe and sane,’ but every year, somebody ends up in the emergency room with something in their eye or they burn themselves or they set off a brush fire or some other ridiculous thing.”

The New Jersey Academy of Ophthalmology, an organization of some 300 practicing eye doctors, opposed the legalization of fireworks last year due to the potential for burns to the cornea and, in extreme cases, loss of vision.

Vinod Voleti, an association board member and an eye surgeon in North Jersey, said injuries from small fireworks are rare but will certainly increase with New Jersey’s relaxed law.

“As more and more people are using them and have access to them in New Jersey, we’ll see more injuries related to them,” Voleti said. “We don’t know the exact statistics, but for every 100,000 people that use a sparkler, a certain number of them will get something in their eye.”

The group recommends wearing safety goggles when using handheld fireworks, especially among children. Sparklers are responsible for most of the fireworks-related injuries to children 5 and younger.

“They can’t really follow instructions, so they hold the sparklers close and they’re really looking at them and they’re really interested in them,” Voleti said. “There’s just not a

careful.”

Concerns over sparkler-related injuries prompted two counties on Long Island this year to ban the firework.

The American Pyrotechnics Association has argued that the opposite approach — legalization — will improve safety.

“When fireworks are legal, people take the time to plan their activity and read the instructions for use and practice common-sense safety tips,” Heckman said. “Where they’re illegal and they’re choosing to break the law, they’re going about that activity very quickly because they’re trying not to get caught, and that’s when they’re careless. That’s when we see the injuries occur and more fires.”

Story continues below graphic

Police in Wayne have long waged a battle against fireworks, largely the explosive kind.

Every year around the Fourth of July, the Police Department fields dozens of complaints about illegal fireworks purchased in Pennsylvania that residents then shoot off in their backyards, said Capt. Laurence Martin. The noise scares children, seniors, veterans and animals and can harm residents with certain health issues.

The department’s “anti-fireworks, zero tolerance, don’t be that guy/girl” awareness campaign has lessened the complaints over the past five years, but the problem persists, he said.

“We’re asking people to be a good neighbor, to consider your neighbor,” Martin said. “Don’t be that person, that idiot, that’s out there ruining the holidays because you had too many drinks and you’re showing off.”

Martin said the department panicked last year when it heard that fireworks would become legal but was happy to see that “common sense and clear thought process” prevailed when legalization was limited to non-explosive, non-aerial devices.

The relief could be short-lived. Many states that lifted their bans started small, as New Jersey did, and have gradually become accepting of more powerful fireworks.

“The New Jersey type of ground-based devices, that’s kind of like the first phase in opening a state in terms of allowing some sale of consumer fireworks,” Heckman said.

Kentucky, Utah, Michigan, Georgia, West Virginia, Iowa and Pennsylvania are among the

aerial cakes, reloadable mortar shells, firecrackers, bottle rockets and novelty items earlier this year but backed down amid an outcry from law enforcement.

The failed bill was projected to bring \$750,000 in the first year and then nearly \$1 million annually into the state's coffers.

"It's going to come back," Duval said of the bill. "The fireworks industry is very dogged."

The prospect of a new sales tax stream has been a driving force behind legalization nationwide, including in New Jersey.

"The state's ban on buying fireworks doesn't stop people from buying fireworks," said Assemblyman John Burzichelli, D-Gloucester, a sponsor of the state's bill, last year. "It just means people go elsewhere to make the purchase, and the associated tax revenue goes to another state."

It is unclear how much New Jersey has benefited from legalization. Jennifer Sciortino, a spokeswoman for the Treasury Department, said the state does not track fireworks revenue individually.

Sales tax revenue from fireworks can be difficult to predict.

West Virginia anticipated \$2.8 million in revenue last year after legalizing fireworks in 2016 but collected only about one-third of that. Iowa fell short of an expected \$1.1 million windfall by some \$500,000 in the 2017 fiscal year. The state fared better the next year, collecting at least \$1 million from \$16 million in fireworks sales.

Voleti said the New Jersey ophthalmologists' group could not argue with the allure of new tax revenue. Instead, it has focused its efforts on keeping residents safe.

"We push strongly for recommendations on how children should be handling fireworks and educating the public rather than trying to fight a losing battle," he said.

Email: shkolnikova@northjersey.com