



Senator Shane Wilkin, Chair  
Sunset Review Committee  
The Ohio Statehouse  
1 Capitol Square  
Columbus, Ohio 43215

RE: Sunset review of the 2000 "Fireworks Exhibition Safety and Mortar Rack Stability Rules Committee" (R.C. §3743.53(E)(3))

Dear Senator Wilkin:

In accordance with the provisions of House Bill 405 of the 123rd General Assembly (as codified in (R.C. 3743.53(E)(3) [<https://codes.ohio.gov/ohio-revised-code/section-3743.53>]), in the fall of 2000 the Director of Commerce created a committee consisting of the State Fire Marshal (SFM), three appointed representatives of the fireworks industry, and three appointed representatives of the fire service to assist the SFM in adopting into the Ohio Administrative Code (OAC) the following types of rules:

- (a) Uniform standards for the stability of fireworks storage racks (mortars) to be used at a fireworks exhibition,
- (b) A detailed exhibition safety checklist that a local fire chief, in consultation with a local police chief, must complete prior to their granting of permission for a fireworks exhibition to commence within their jurisdiction, and
- (c) Compliance provisions to ensure that all licensed fireworks exhibitors complied with these newly created rules.

The first meeting of this "Fireworks Exhibition Safety and Mortar Rack Stability" rules committee (FESMRS) was held at the SFM's Office in Reynoldsburg, Ohio on October 26, 2000. The FESMRS committee had the following members:

1. Robert R. Rielage, State Fire Marshal.
2. Gregg Smith, Safety Manager, Pyrotecnico Fireworks Company, New Castle Pa.
3. Greg Snyder, Independent Fireworks Exhibitor, Cincinnati, Ohio.
4. Captain Daniel Strohl, Upper Arlington, Ohio, Fire Department.
5. Chief Inspector Ron Browning, Copley, Ohio, Fire Department.
6. Ken Sprague, Owner, Hamburg Fireworks Display, Lancaster, Ohio.
7. Chief Robert Weitzel, Green Twp. Fire Department, Cincinnati, Ohio.

The FESMRS committee met a total of six (6) times and produced a series of suggested rules for adoption into the OAC by the SFM in accordance with the mandates of HB 405. The rules were then adopted in accordance with Chapter 119 of the Revised Code by the SFM into rule 1301:7-7-31 of the OAC and became effective on April 30, 2001. These rules remain a part of the OAC at OAC 1301:7-7-56(H), Ohio Fire Code 5608.

Upon the effective date of the fireworks mortar rack stability rules in 2001, the FESMRS committee described above ceased operations and has not conducted any activity since 2001. SFM records indicate that the FESMRS committee was subject to the Sunset Review Committee process in August of 2003 and that the FESMRS committee was not renewed at that time. However, the language describing the FESMRS committee still exists in R.C. 3743.53(E)(3). Accordingly, it is the recommendation of the SFM that, if the FESMRS committee is determined to still exist, it does not need to be renewed or reconstituted at this time.

If you need any additional information, please do not hesitate to contact me at:

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Sincerely,



Kevin S. Reardon  
State Fire Marshal