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Office of the State Fire Marshal

Testimony on Senate Bill 199
Before the House Committee on Commerce, Labor and Economic Development
Mark Engholm, State Fire Marshal
March 5, 2025

Chairperson, Vice Chair, Ranking Member and Members of the Committee:

Thank you for the opportunity to provide neutral testimony on Kansas Senate Bill 199, which would make sweeping changes to the Kansas Fireworks Act. I would like to take this opportunity to explain how the Office of the State Fire Marshal currently regulates the manufacture, storage, distribution, and sale of fireworks in Kansas, what the proposed language in this bill would mean to our office, and provide you with suggested amendments to the bill which would ensure that it aligns with other state statutes and the Kansas Fire Prevention Code.

Licensing, Permits, and Registration

Under current law, our office issues the following fireworks related licenses and permits:

	Currently Active
Display Operator	435
Proximate Pyrotechnic Operator	37
Fireworks Distributor	108
Hobbyist Manufacturer	1
Fireworks Manufacturer	2
Bottle Rocket Permit	3
Display Storage Permit	64

Our office currently has a single staff member who spends approximately one half of their time providing information about fireworks licensing, reviewing applications, providing written testing for operators, compiling information from inspections, and administering licenses.

Under the changes proposed in Senate Bill 199 as amended, our office would increase the number and types of fireworks licenses and permits we administer from 7 to 10:

- Distributor of Display Fireworks
- Distributor of Articles Pyrotechnic
- Unlimited Distributor

- Manufacturer
- Bottle Rocket
- Hobbyist Manufacturer
- Licensed Display Fireworks Operator
- Licensed Proximate Pyrotechnic Operator
- Storage Permit
- Permanent Retailer

The Senate amended the portion of this bill that would have had the most impact on our operations. That section would have required the State Fire Marshal to register all seasonal fireworks retailers and would have required adding additional staff to process those registrations. Our office believes that registration, licensing, and permitting of seasonal retailers is best handled at the local level.

Inspections & Enforcement

Our Special Agents conduct routine inspections of storage sites, distributors, manufacturers, and retailers to ensure they are complying with the Kansas Fireworks Act. For example, during the 2024 fireworks sales season (June 27th through July 5th), our Agents randomly inspected 178 retail fireworks locations around the state. In 14 instances, we found that the retail location was selling consumer fireworks that had not been purchased from a distributor licensed to operate in our state. In 3 instances, the Special Agents found and seized illegal fireworks from retailers.

As the bill would both double the length of seasonal retail sales (from 9 to 18 days) and create year-round sales locations, our Special Agents would need to dedicate more time to inspections and enforcement of the Fireworks Act.

Firework Safety & Injuries

Consumer fireworks are estimated to cause 2,000 structure fires, 500 vehicle fires, and nearly 20,000 wildfires annually in the United States. Unfortunately, we do not have reliable statistics to share with you about the impact of fireworks on our fire departments and the insurance industry in Kansas. I am hopeful that the National Emergency Response Information System (NERIS), which will collect better data from fire departments starting in 2026, will allow us to reliably report on these impacts to our state in the future.

Health care providers in Kansas are asked to report the circumstances surrounding fireworks related injuries to our office. I have attached 2024 fireworks injury data to this testimony in case you have any questions related to injuries and at-risk populations, such as children.

I believe that we can logically conclude that making fireworks more readily available throughout the year will result in increased firework sales and use of fireworks, which logically translates to more firework related fire losses and fireworks related injuries in our state.

Suggested Amendments

I respectfully submit the following suggested amendments to the bill. These amendments are intended to ensure that the language in the bill agrees with that in other statutes and the Kansas Fire Prevention Code, which includes the 2006 version of National Fire Protection Association (NFPA) Standard 1124 dealing with fireworks distribution and sales.

Page 3, Line 40: (k) "Storage" means the safekeeping of fireworks in a warehouse or magazine or comparable appropriate depository. Consumer fireworks ~~that are~~ **with a total quantity of 125 pounds of pyrotechnic composition or less** located at the destination of their retail sale and being held in anticipation of retail sale are not considered as in "storage". (To align with current Kansas Fire Prevention Code NFPA Standard 1124 7.3.1.1)

Page 5, Insert Line 13: **(f) The license holder shall not have been convicted of any crime punishable as a felony under the laws of Kansas or a crime under the law of another jurisdiction which is substantially the same as such felony.** (To align with federal law and with current practice of the agency)

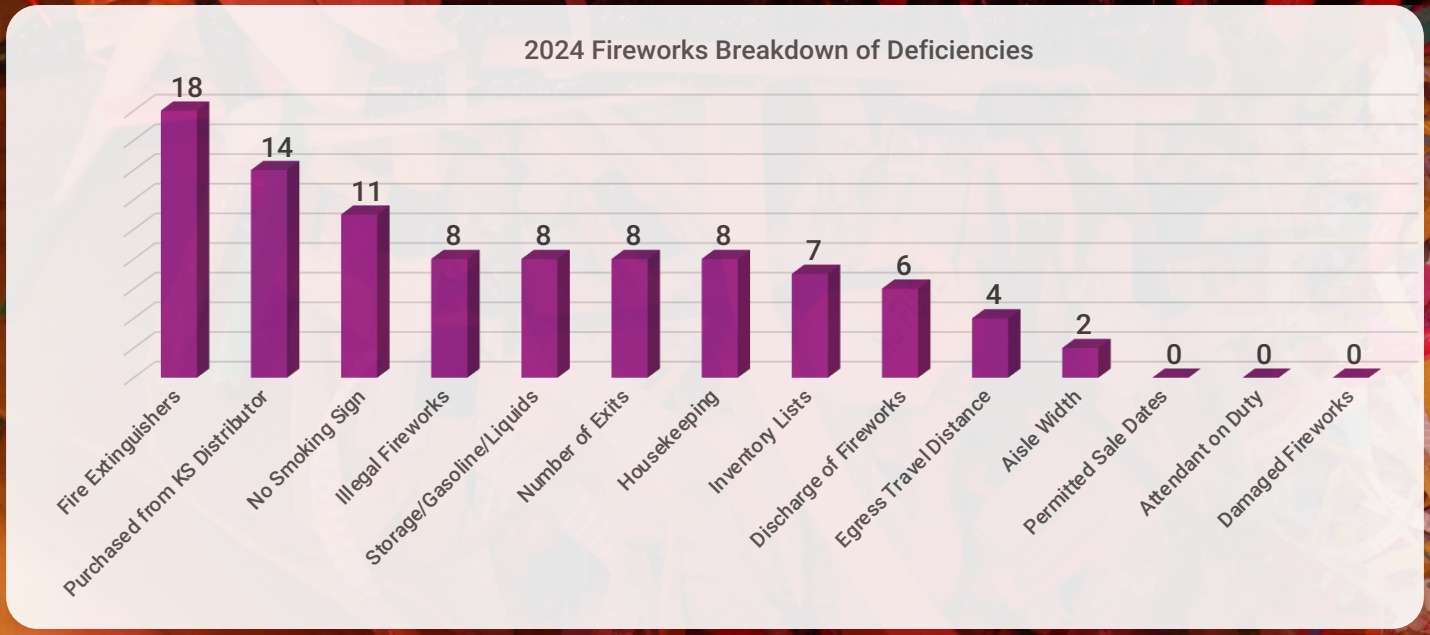
FIREWORK INSPECTIONS

178 Total Inspections Conducted

59 Inspections That Found Violations

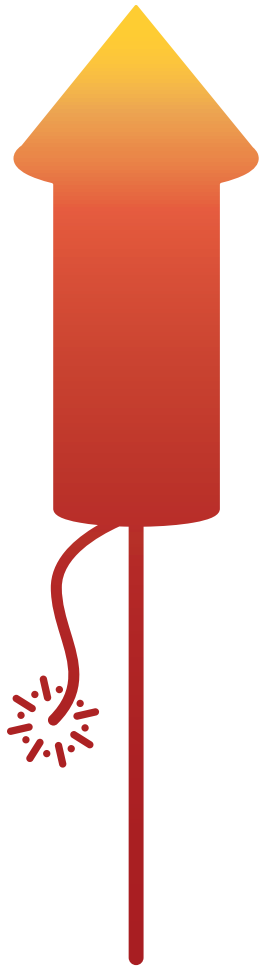
94 Deficiencies Found In The 59 Inspections With Violations

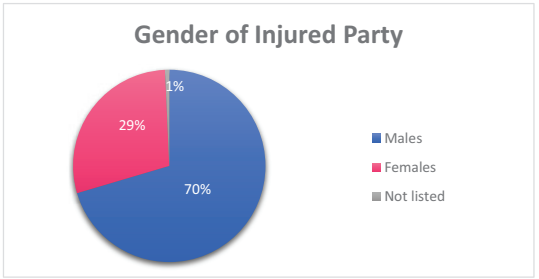
Fireworks Seized

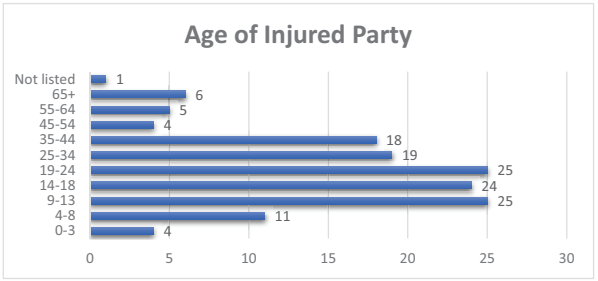


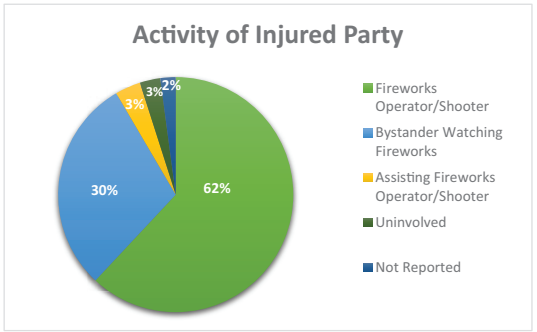
FIREWORK INJURIES*

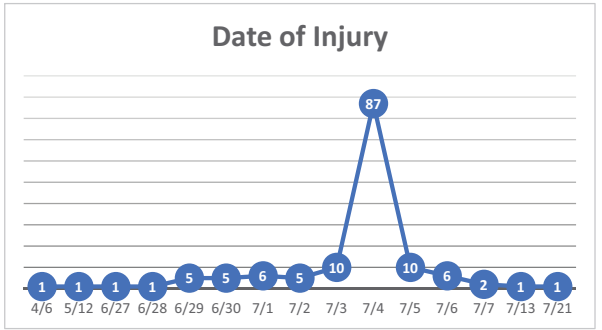
There were a total of 142 firework-related injuries reported in 2024. The individual shooting the firework was most likely to be injured and the hands were the most common body part to be injured. More than half of the reported injuries occurred on the 4th of July and more than half of the individuals received burns. With the exception of three age groups, all saw a decrease in injuries. Injuries were more than halved for the 0-3 year old age group. Injuries more than doubled for the 9-13 year old age group. As in past years, the highest incidences of injuries were caused by mortars or artillery fireworks and other fireworks like parachutes, fountains and spinning items.

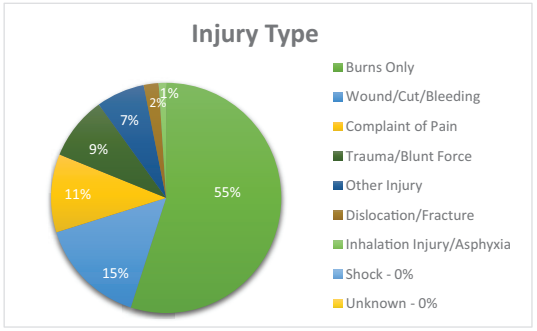


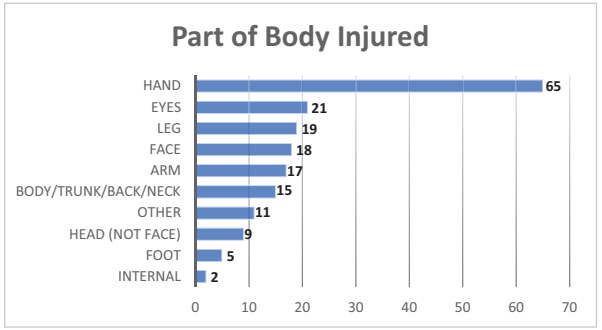


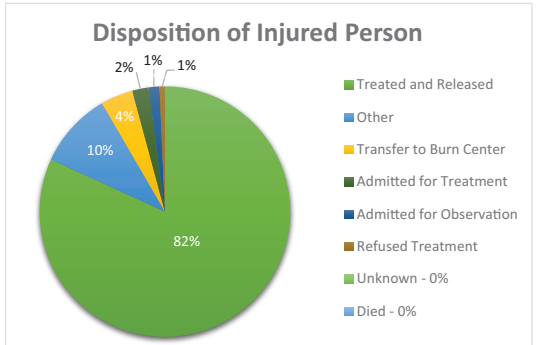


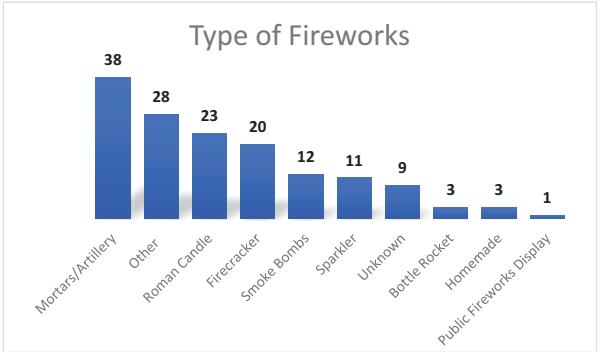












*Statistics are current as of 08/05/2024 and are gathered from a voluntary report submitted by healthcare facilities in Kansas.