



STATE SENATOR
CHARLETA B. TAVARES

15TH DISTRICT

Sponsor Testimony

Presented by: Senator Charleta B. Tavares

Senate Bill 106

Local Government, Public Safety and Veterans Affairs

Senator Joe Uecker, Chair

Tuesday, February 26, 2018

Good morning, Chairman Uecker, Ranking Thomas and members of the Local Government, Public Safety and Veterans Affairs Committee. Thank you for the opportunity to present Senate Bill 106 which would prohibit smoking in a motor vehicle in which a child under six (6) years of age is a passenger. For purposes of the bill, “smoke” means “to inhale, exhale, burn, or carry any lighted cigar, cigarette, pipe, or other lighted smoking device for burning tobacco or any other plant.

As you may know, secondhand smoke contains more than 4,000 substances, several of which are known to cause cancer in humans or animals. Children are particularly vulnerable to the effects of secondhand smoke because they are still developing physically, have higher breathing rates than adults, and have little control over their indoor environments. Children exposed to high doses of secondhand smoke run the greatest relative risk of experiencing damaging health effects. According to the American Cancer Society, about 3,400 lung cancer deaths is a result of breathing secondhand smoke.

In the 2006 US Surgeon General’s report about secondhand smoke, he reached some important conclusions:¹

- Secondhand smoke causes premature death and disease in children and in adults who do not smoke
- Children exposed to secondhand smoke are at an increased risk of sudden infant death syndrome (SIDS), acute respiratory infections, ear problems, and more severe asthma. Smoking by parents causes breathing (respiratory symptoms and slows lung growth in their children.
- The only way to fully protect non-smokers from exposure to secondhand smoke indoors is to prevent all smoking in that indoor space or building. Separating smokers from non-smokers, cleaning the air, and ventilating buildings cannot keep non-smokers from being exposed to secondhand smoke.

¹ www.cancer.org/cancer/cancercauses/tobaccocancer/secondhand-smoke

Why prohibit smoking in a motor vehicle you may ask. Americans spend a great deal of time in their cars, and if someone smokes there, hazardous levels of smoke can build up quickly. Secondhand smoke contains cancer causing chemicals which can be especially harmful to children. Young children are not able to decide for themselves if they want to enter a vehicle with a smoker and are at the mercy of the driver. Senate Bill 106 will afford protection to some of our most vulnerable citizens.

Tobacco Free California conducted an experiment which examined the air quality of a vehicle when a driver is smoking. In the experiment, a driver sat in a stationary vehicle with the windows closed. The experiment showed that within 10 to 20 seconds of smoking a cigarette, the air quality reached hazardous levels, which is the highest level measured by the Environmental Protection Agency for outdoor pollution. When the experiment was conducted with the windows rolled all the way or partially down in a moving vehicle the air quality still reached unhealthy levels.

Other states such as Arkansas, Louisiana, California, Utah, Maine, and most recently Vermont and Oregon in 2014 have enacted similar legislation. All of these states have a higher age prohibition than this bill. Their laws prohibit smoking in vehicles with a passenger that range from ages 8 to 17. In Maine violators can be fined \$50 and in California violators may be fined up to \$100.

Violators of this bill will be fined five-hundred dollars (\$500) for the first offense and five-hundred dollars (\$500) plus two hundred and fifty dollars (\$250) for each subsequent violation.

Chairman Uecker and members of the Committee, I appreciate your attention to this important issue and I respectfully request your favorable consideration and passage of Senate Bill 106. Thank you and I am happy to respond to questions from the committee.