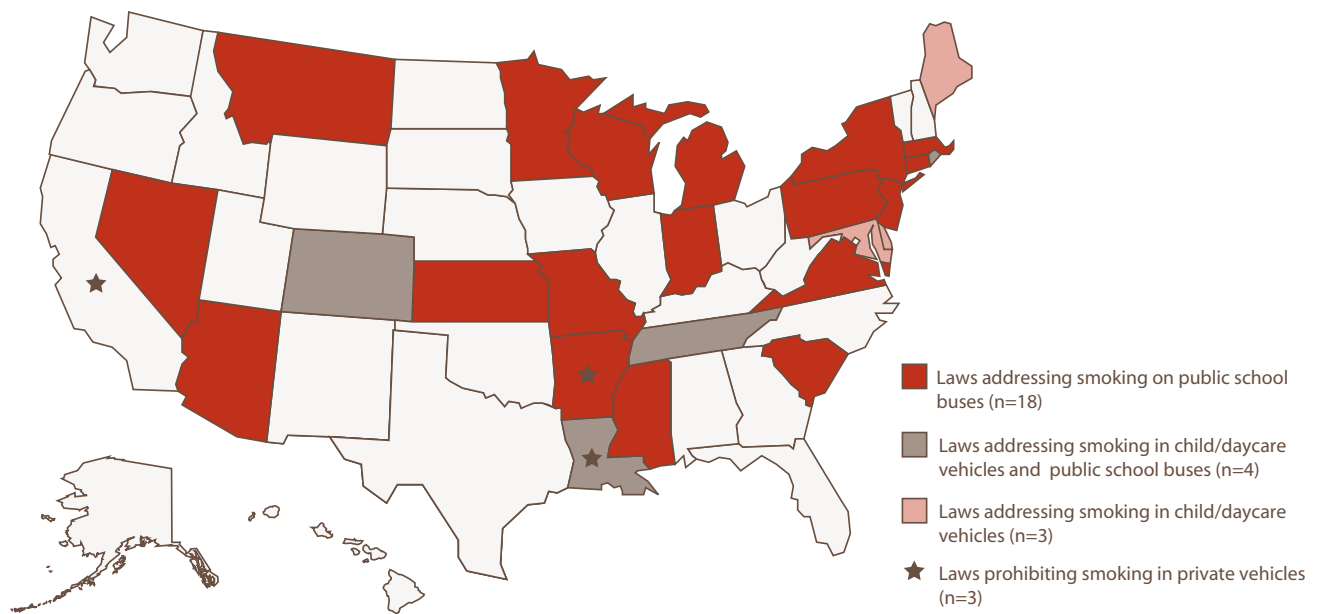


## Legislative Data Byte

## States with Laws Addressing Youth Exposure to Tobacco Smoke in Vehicles (as of March 31, 2008)



Exposure to tobacco smoke in automobiles remains a significant source of secondhand smoke for adults and youth.<sup>1</sup> This can be a potentially serious health hazard to children because of the concentrated, prolonged exposure and because of their small size.<sup>2</sup> Many states have attempted to reduce minors' exposure to secondhand smoke by prohibiting smoking in public school buses or vehicles used to transport students to schools. Far fewer states have enacted laws related to smoking in vehicles used for childcare or daycare transportation, and three states have enacted laws governing smoking in private vehicles.

Laws addressing smoking in public school buses have been enacted by 22 states. Twenty-one states explicitly prohibit smoking in public school buses or vehicles when occupied by students. Provisions of the law in **Wisconsin** restrict smoking to designated areas of public school buses. Seven states—**Colorado, Delaware, Louisiana, Maine, Maryland, Rhode Island, and Tennessee**—prohibit or restrict smoking in vehicles when being used to transport children as part of daycare or childcare programs or activities.

In 2006, **Arkansas** became the first state to prohibit smoking in private vehicles when children are present. Since that time, **California** and **Louisiana** have followed suit with similar laws, and more than 15 other states have introduced related legislation. **Arkansas** law bans smoking in motor vehicles when children are onboard who are younger than age six,

weigh less than 60 pounds, and are restrained in a child safety seat. Similarly, in **Louisiana**, smoking is prohibited when a child who is required to be restrained in a child safety seat is present in the vehicle. **California** law prohibits smoking in a motor vehicle when a minor is present. Penalties for violations are specified in each of these laws and range from proof of entry in a smoking cessation program to \$150 or 24 hours of community service.

Although laws prohibiting smoking in private vehicles when children are present remain scarce, the introduction and passage of such laws is expected to increase in the states.

*Provisions set forth in state and local government regulations and school board measures are not included because they fall outside the scope of the SCLD Program. In addition, a number of states not included in this analysis have enacted laws prohibiting smoking in vehicles owned by private employers. Depending on state interpretation, these prohibitions may include vehicles used in the course of employment by daycare or childcare providers.*

1. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health. *The health consequences of involuntary exposure to tobacco smoke: A report of the Surgeon General*. Washington, DC: U.S. Government Printing Office.
2. Sendzik, T., Fong, G.T., Travers, M.J., & Hyland, A. (2000, March). *An experimental investigation of tobacco smoke pollution in cars* (Special Report). Toronto ON: Ontario Tobacco Research Unit.