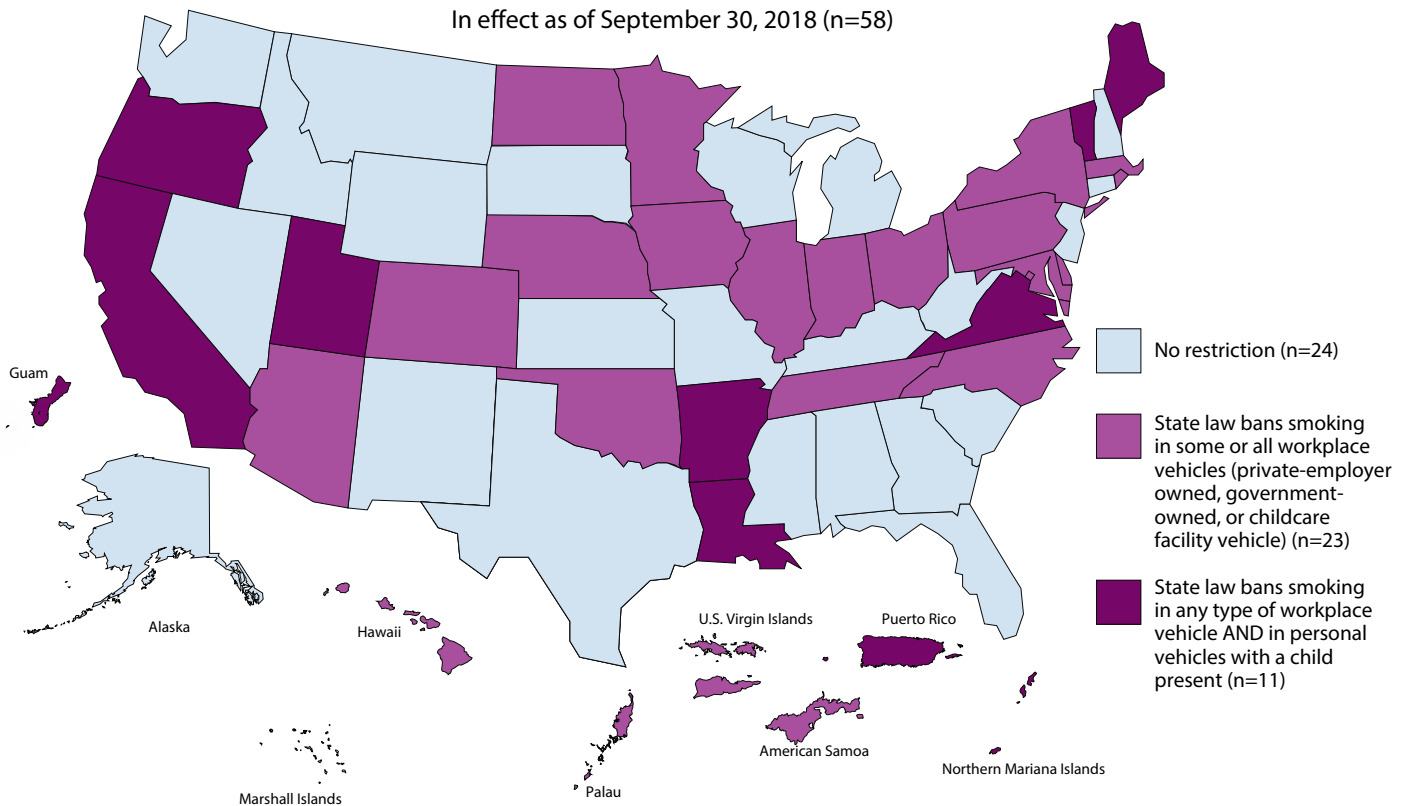


STATE System Vehicles Fact Sheet

State Smoking Restrictions in Vehicles (Private Employer, Government-Owned, Day Care Centers, and Personal Vehicles)

In effect as of September 30, 2018 (n=58)



“Evidence suggests that vehicles can also be a significant source of secondhand smoke exposure for children. Children can be regularly exposed to secondhand smoke when parents or other adults smoke in these vehicles while they are present. The concentrations of secondhand smoke in vehicles where smoking is occurring can reach very high levels. Making vehicles smokefree would be expected to reduce children’s secondhand smoke exposure.”

US Surgeon General's Report, 2006

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U.S. Department of Health and Human Services
Centers for Disease Control and Prevention

STATE System: CDC.gov/STATESystem
OSHData: CDC.gov/OSHData
Office on Smoking and Health: CDC.gov/Tobacco



Establish laws in States and the District of Columbia on smokefree indoor air that prohibits smoking in **vehicles with children**¹⁸

Secondhand Smoke Exposure in Vehicles Is Detrimental to the Health of Children and Nonsmoking Adults

The US Surgeon General has declared that tobacco use is the most preventable cause of disease and death in the United States.^{1,2} Each year, more than 480,000 people die prematurely in the United States and another 16 million suffer from a serious illness caused by smoking.² Tobacco use also creates a significant economic burden for the country, with tobacco-related illnesses costing nearly \$170 billion in direct medical costs and more than \$156 billion in lost productivity each year.^{2,3} Smokers are at a higher risk of death and illness due to lung cancer, coronary heart disease, chronic lung disease, stroke, and other cancers.²

Yet smokers are not the only people at an increased risk of death and disease from tobacco use. Millions of nonsmokers remain exposed to secondhand smoke in homes, workplaces, public places, and vehicles.⁴ Secondhand smoke causes premature death and disease in children and nonsmoking adults.² In 2011–2012, approximately 58 million nonsmoking Americans were exposed to secondhand smoke; including 2 out of 5 children aged 3 to 11 years.⁵ Exposure to secondhand smoke causes heart disease and lung cancer in nonsmoking adults and sudden infant death syndrome, acute respiratory infections, middle ear disease, more severe asthma, respiratory symptoms,

and slowed lung growth in children.^{1,2} Each year secondhand smoke exposure causes more than 7,300 lung cancer deaths and nearly 34,000 heart disease deaths among nonsmoking adults and 150,000 to 300,000 cases of bronchitis and pneumonia in children younger than 18 months of age.² Exposure to secondhand smoke for as little as 10 seconds can stimulate asthmatic symptoms in children.⁶ Because their bodies are still developing, children are especially susceptible to the effects of secondhand smoke. Most exposure to secondhand smoke for children occur in vehicles and the home.

In 2006, the US Surgeon General concluded that eliminating smoking in indoor spaces is the only way to fully protect nonsmokers from secondhand smoke exposure.¹ Separating smokers from nonsmokers, cleaning the air, and ventilating buildings are not effective protections against secondhand smoke.¹ Vehicles may be a substantial source of secondhand smoke exposure for children and nonsmoking adults.^{1,7} For example, a study assessing US middle and high school students exposure to secondhand smoke in vehicles found that in 2009, more than one-fifth of non-smoking students were exposed to secondhand smoke in vehicles.⁸

Smoking restrictions in worksites and public places established through state laws, local laws, and voluntary policies implemented by employers have been a major factor behind the substantial reductions in secondhand smoke exposure among US nonsmokers that have occurred during the past 20 years.^{1,2,9,10} It is estimated that this exposure among nonsmokers reduced by more than half (from 88% to 25%) from 1988 to 2012.⁵ Some local and state governments have moved beyond public places and worksites to explore approaches to protecting nonsmokers, especially children, in settings such as living spaces and vehicles.^{1,11} The STATE System has begun capturing state efforts in these emerging areas by tracking state laws restricting smoking in multiunit housing facilities and vehicles.

Smoking in vehicles causes both short- and long-term health risks to passengers.¹ Because of the small air volume, smoking in vehicles rapidly generates high concentrations of secondhand smoke.^{6,12} In fact, several studies found smoking just one cigarette in a vehicle with the windows closed can generate more than 100 times the US Environmental Protection Agency's (EPA's) 24-hour recommended exposure limit to fine respirable particles (particles that irritate the respiratory system, contain the carcinogenic chemicals found in tobacco smoke, and that can seep from the lungs into the bloodstream).^{7,12} This exposure exceeds the levels of these particles found in smoky bars and restaurants.^{6,7,13} Smoking with the vehicle windows closed can also produce a significant increase in carbon monoxide, a poisonous gas that can harm children in even small quantities.⁶

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Vehicle Smoking Restrictions

In effect as of September 30, 2018 (n=58)

Location	Private Employer-Owned Vehicle	Government Owned Vehicle	Daycare (Homebased- or Commercial Vehicle)	Personal Vehicle
Alabama				
Alaska				
American Samoa	Banned	Banned	Banned (both)	
Arizona	Banned	Banned		
Arkansas		Banned	Banned (commercial)	Banned
California		Banned	Banned (both)	Banned
Colorado			Banned (commercial)	Exempt
Connecticut				
Delaware			Banned (both)	Exempt
District of Columbia	Banned	Banned	Banned (both)	Exempt
Florida				
Georgia	Exempt	Exempt		
Guam			Banned (both)	Banned
Hawaii		Banned		
Idaho				
Illinois		Banned		
Indiana	Exempt	Banned		Exempt
Iowa	Banned	Banned		
Kansas				
Kentucky				
Louisiana	Banned	Banned	Banned (both)	Banned
Maine			Banned (both)	Banned
Marshall Islands				
Maryland			Banned (both)	Exempt
Massachusetts		Banned		
Michigan	Exempt	Exempt		
Minnesota	Banned	Banned		
Mississippi				
Missouri				
Montana				
Nebraska		Banned		
Nevada				
New Hampshire				
New Jersey				
New Mexico				
New York	Banned	Banned		
North Carolina		Banned		
North Dakota		Banned		
Northern Mariana Islands	Banned	Banned	Banned (commercial)	Banned
Ohio	Banned	Banned		
Oklahoma		Banned		
Oregon	Banned	Banned	Banned (both)	Banned
Palau	Banned	Banned	Banned (commercial)	
Pennsylvania			Banned (home-based)	Exempt
Puerto Rico		Banned	Banned (both)	Banned
Rhode Island	Banned	Banned	Banned (commercial)	
South Carolina				
South Dakota				
Tennessee		Banned		
Texas				
U.S. Virgin Islands	Banned	Banned	Banned (both)	Exempt
Utah			Banned (both)	Banned
Vermont			Banned (both)	Banned
Virginia			Banned (commercial)	Banned
Washington				
West Virginia				
Wisconsin				
Wyoming				

Smoking in a vehicle with the windows or a vent open reduces the amount of secondhand smoke in the car, but even under these conditions the resulting particle levels are at least twice the EPA 24-hour recommended exposure limit.^{7,12,13} These levels are high enough to be considered unhealthy for children and other sensitive groups, while the levels observed with vehicle windows closed pose serious health risks to all people.^{7,12,13}

Current State Efforts to Restrict Smoking in Vehicles

While smoking restrictions in private homes and vehicles have traditionally been established primarily through voluntary household rules,⁶ some states have recently enacted legislation restricting smoking in personal vehicles. State laws restricting smoking in vehicles include laws that restrict smoking in workplace vehicles, vehicles used for childcare transportation, and personal vehicles when children or adolescents are present. A Healthy People 2020 objective calls for all 50 states and the District of Columbia to prohibit smoking in personal vehicles with children present.¹⁴

Restrictions in Workplace Vehicles

Eight states (Arizona, Iowa, Louisiana, Minnesota, New York, Ohio, Oregon, and Rhode Island), American Samoa, the District of Columbia, the Northern Mariana Islands, Palau and the U.S. Virgin Islands ban smoking in private employer-owned vehicles. Nineteen states, American Samoa, the District of Columbia, the Northern Mariana Islands, Palau, Puerto Rico and the U.S. Virgin Islands prohibit smoking in government-owned vehicles.

Thirteen states (Arkansas, California Colorado, Delaware, Louisiana, Maine, Maryland, Oregon, Pennsylvania, Rhode Island, Utah, Vermont, and Virginia), American Samoa, the District of Columbia, Guam, the Northern Mariana Islands, Palau, Puerto Rico and the U.S. Virgin Islands restrict smoking in vehicles used to transport children while in the care of home-based or commercial childcare facilities. One of these states—Maine—prohibits home-based childcare facilities from permitting smoking in vehicles used to transport children under care for at least 12 hours before children are scheduled to be in the vehicle.

Restrictions in Personal Vehicles

Eight states (Arkansas, California, Louisiana, Maine, Oregon, Utah, Vermont, and Virginia), Guam, the Northern Mariana Islands and Puerto Rico have recently passed laws prohibiting smoking in personal vehicles when children or adolescents are present. These laws are specifically aimed at reducing children's exposure to secondhand smoke in vehicles. The specific age provisions vary. The Vermont and Virginia laws apply to children aged 8 years and younger, the Louisiana law applies to children aged 13 years and younger, the Arkansas law applies to children aged 14 years and younger, the Utah law applies to children aged 15 years and younger, the Maine law applies to people aged 16 years and younger, the Guam law applies to children aged 17 years and younger, and the California, Oregon, the Northern Mariana Islands and Puerto Rico laws apply to people aged 18 years and younger.

OSHData presents comprehensive tobacco prevention and control data in an online, easy to use, interactive data application.

Download the entire dataset from OSHData.

Five states (Colorado, Delaware, Indiana, Maryland, and Pennsylvania), the District of Columbia and the U.S. Virgin Islands have laws that explicitly exempt personal vehicles from inclusion in state smoking restrictions.

Future Implications for State Efforts to Restrict Smoking in Vehicles

As of September 30, 2018, 27 states, American Samoa, the District of Columbia, Guam, the Northern Mariana Islands, Palau, Puerto Rico, and the U.S. Virgin Islands have restrictions on smoking in worksite, childcare, or personal vehicles.

While the US EPA, some state tobacco control programs, and a number of community organizations have conducted education campaigns encouraging parents to adopt voluntary household rules making their homes smokefree, until recently few such campaigns have promoted adopting similar rules in personal vehicles.¹ Just as state laws requiring seatbelt use have helped change public attitudes and practices on this issue¹⁵ laws prohibiting smoking in vehicles when children are present may have the potential to change social norms. This is especially true if these measures—like seat belt laws—are implemented in conjunction with public education campaigns. Studies have shown that public support for laws making workplaces and public places smokefree increases after people have the experience of living under these laws, particularly among smokers.^{10,16,17} Local and state governments are responsible for deciding whether it is appropriate to address this problem through governmental action. Local and state policy makers, community leaders, concerned organizations, and citizens can make decisions about the most appropriate approaches to take to protect children and possibly nonsmoking adults in their communities and states from secondhand smoke exposure in vehicles.

The STATE System contains data synthesized from state-level statutory laws. It does not contain state-level regulations; measures implemented by counties, cities, or other localities; opinions of Attorneys General; or relevant case law decisions for tobacco control topics other than preemption; all of which may vary significantly from the laws reported in the database, fact sheets, and publications.

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