



New York State YMCA Youth And Government

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FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

1 **Sponsors:** Rachel Lim, Dina Saad

2 **An Act To** Amend the New York State Clean Air Act to include private automobiles
3 that have children aged 12 and under in the vehicle.

4 **The People of the State of New York, represented in the Senate and Assembly do enact as follows:**

5 **Purpose** The purpose of this bill is to ensure the safety of minors' health. The
6 article currently states that smoking and vaping within private automobiles is
7 permitted however we seek to change it so that it is prohibited

8 **Summary of Provisions**

9 **Section 1**

10 Cigarette: a cigarette-shaped device containing a nicotine-based liquid that is
11 vaporized and inhaled, used to simulate the experience of smoking tobacco.

12 E-Cigarettes or Vape: a hand-held battery powered vaporizer that simulates
13 smoking and provides some of the behavioral aspects of smoking, including the
14 hand-to-mouth action of smoking, but without burning tobacco.

15 Nicotine: a toxic colorless or yellowish oily liquid that is the chief active constituent
16 of tobacco. It acts as a stimulant in small doses, but in larger amounts blocks the
17 action of autonomic nerve and skeletal muscle cells. Nicotine is also used in
18 insecticides.

19 Tobacco: a preparation of nicotine-rich leaves of an American plant, which are
20 cured by a process of drying and fermentation for smoking or chewing.

21 Second-hand Smoke: a mixture of the smoke from burning tobacco products such
22 as cigarettes, cigars or pipes and the smoke exhaled by a smoker. Exposure to
23 secondhand smoke is unsafe.

24 **Section 2**

25 The Act prohibits smoking and vaping in almost all public and private indoor
26 workplaces, including restaurants and bars, to protect workers and the public from
27 exposure to harmful secondhand tobacco smoke and vaping aerosols. Localities
28 may continue to adopt and enforce local laws regulating smoking and vaping;
29 however, these regulations must be at least as strict as the Act.



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The Act prohibits smoking and vaping in the indoor areas which include places of employment, bars, restaurants, public means of mass transportation, schools and school grounds, etc. However, smoking and vaping are permitted in the following places including private homes and residences not used for daycare, private automobiles, hotel and/or motel rooms, and etc.

Justification

This bill will serve as an enforcement of preserving the health of minors to prevent any negative short and/or long-term effects of second-hand smoking. Statistics show that secondhand smoke consists of more than 7000 different chemicals, 70 of which are cancerous and hundreds that are toxic. The exposure to these harsh chemicals can and will affect the developing body of the minor surrounding the area. If minors age 12 and younger cannot smoke any of these substances, or be in a public area such as a park where its being smoked, then why should they be confined in a tight proximity with someone who does, which would condemn them to future health problems.

Fiscal Implications:

The enforcement officer for a city or county health department or State Health Department can assess a fine of up to \$2,000 for each violation. NYS residents can benefit through these enforcements because of the health assets contributed.

Environmental Implications: The chemicals within e-cigarettes and traditional cigarettes release many toxins into the environment. Heavy metals and residual nicotine can be leaked and can be considered as biohazard waste. Cigarettes contain chemicals that can contaminate waterways and ground soil and leftover cigarette butts also prove to be toxic waste. In some cases, cigarette butts can also cause fires if not put out properly. Furthermore vaping and smoking indoors can result in indoor air pollution. Ultra fine particles and toxins contained within cigarettes and vapes are known to cause cancer within its secondhand victims around them.

Effective Date

One year after its passage.