

January 29, 2014

To: Committee on Human Services
From: Rebecca Ryan, Director, Health Education and Public Policy, Vermont
Subject: H.217

The American Lung Association supports measures to require totally smokefree environments to protect public health.

Vermont is a national leader on protecting Vermonters from secondhand smoke exposure.

- Vermont led the nation when it passed the Smokefree Workplace Act in 1987 and made most indoor worksites smoke free. In 2009, under the leadership of this committee, the law was amended to eliminate a loophole that allowed designated smoking areas in the workplace.
- In 1993, Vermont passed the Clean Indoor Air Act to protect Vermonters from secondhand smoke in public places. In 2005, the law was amended to remove the cabaret exemption and protect workers at bars, cabarets and private clubs.

Vermont has two opportunities this year to expand protection from secondhand smoke exposure inside.

- H.70, currently in House Transportation, would ban smoking in vehicles in the presence of children. Thousands of Vermont children are exposed to very dangerous levels of particle pollution from lighted tobacco products in vehicles. We need to do what we can to protect Vermont's children.
- H.217 proposes to close the final loophole in the Smokefree Workplace Act by banning smoking in hotels, motels and resorts. It would also expand the definition to include partially enclosed structures such as interior courtyards, patios and porches. We support these measures.

There is no safe level of secondhand smoke, and that includes smoke in multi-unit buildings. H.217 would protect employees and guests from dangerous levels of toxins.

- Smoke doesn't stay in the hotel room; it moves through outlets, microscopic cracks in walls and floors. Smoke can seep in an out of windows and doors, both opened and closed.
- According to the American Society of Heating, Refrigeration and Air-Conditioning Engineers (ASHRAE), no ventilation system is effective in removal of toxins; up to 65% air is still exchanged between units.

Fire-safe cigarettes aren't necessarily fire-proof cigarettes. H.217 would reduce the risk of fires, potentially saving lives and money.

- A burning cigarette caused \$1 million in damage to a Williston hotel in 2012.
- According to the Vermont Department of Public Safety, six Vermonters have died due to fires caused by smoking materials in the last five years.

Outdoor Restrictions Proposed in H.217

The priority of the Coalition for a Tobacco Free Vermont, and partners, is making all indoor public places and workplaces smokefree. However, comprehensive smokefree laws can and should include distance requirements from entryways, windows and air vents, to reduce secondhand smoke exposure. The evidence shows that banning smoking within a reasonable distance (Washington State and the federal government's General Services Administration restricts smoking to 25 feet or farther of these entries) will protect individuals inside the building from secondhand smoke exposure.

Related sources:

Vermont Department of Public Safety, Division of Fire Safety, [Annual Report of the State Fire Marshall, 2012](#).

Chapman and Hyland., [Environmental tobacco smoke in outdoor areas: a rapid review of the research literature](#). A report commissioned by the Sax Institute for NSW Health. December 15, 2010.

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Sureda X, FernándeX E, López MJ, Nebot M., [Secondhand tobacco smoke exposure in open and semiopen settings: a systematic review](#). Environmental Health Perspectives. July 2013; 121(7):766-73.

Repace, James L., [Benefits of Smoke-Free Regulations in outdoor settings: beaches, golf courses, parks, patios, and in motor vehicles](#)., June 11, 2008.