

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE

House Bill 4
Economic Matters

(Delegate Barkley)

Education, Health, and Environmental Affairs

Alcoholic Beverages - Vaportinis and Similar Devices - Prohibited

This bill expands the definition of an “alcohol without liquid (AWOL) machine” to include a Vaportini, or any similar device, that mixes an alcoholic product with pure oxygen or other gas to produce a vaporized product that can be inhaled. As a result, the bill expands an existing prohibition related to the use, possession, purchase, transfer, or sale of AWOL machines to apply to Vaportinis.

The bill takes effect July 1, 2014.

Fiscal Summary

State Effect: Because it is assumed that the bill would apply in a limited number of cases, State finances are not materially impacted.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: A person is prohibited from using, possessing, purchasing, transferring, or offering to sell or use an AWOL machine with the intent to introduce alcohol into the human body. A violator is guilty of a misdemeanor and subject to a fine of up to \$1,000; each violation is a separate offense.

An “AWOL machine” mixes an alcoholic product with pure oxygen or other gas to produce a vaporized product that can be inhaled through the mouth. AWOL machines are currently banned in more than 20 states, including neighboring Pennsylvania and Virginia.

The Vaportini is a newer product that contains a metal ring and glass sphere that fit atop a standard pint glass. Alcohol poured into the Vaportini's glass sphere is vaporized by a small candle placed at the bottom of the pint glass. The vapor produced within the glass sphere is then inhaled through a straw. The Vaportini works by bypassing the digestive system and causing alcohol to be absorbed directly to the bloodstream through the lungs.

Additional Information

Prior Introductions: HB 1416 of 2013 was referred to the House Economic Matters Committee, but no further action was taken.

Cross File: None.

Information Source(s): Baltimore City; Howard, Montgomery, and Prince George's counties; Comptroller's Office; Judiciary (Administrative Office of the Courts); Attorney General's Office; vaportini.com; wikipedia.com; Department of Legislative Services

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mc/lgc

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