

February 28, 2022

Written Testimony in Support of HB442

On behalf of Maryland Parents Against Vaping e-Cigarettes and as a resident of Montgomery County, Maryland, I am writing to strongly urge your support for House Bill 442, a bill which would return power back to Baltimore County to regulate the sale and distribution of tobacco products in their community.

Maryland Parents Against Vaping e-Cigarette is a state chapter of Parents Against Vaping e-Cigarettes, a national non profit parent volunteer run organization dedicated to educating parents about the hazards of youth vaping and advocating for legislation on the local, state and national level to keep tobacco products away from kids and prevent them from the highly addictive nicotine consumption. See www.parentsagainstvaping.org. As you know, the youth vaping epidemic is a grave public health issue facing our country. In Maryland, data from 2021 shows that 5% of high school students smoke cigarettes, 7% of high school students smoke cigars, and 23% use e-cigarettes. There are 1400 kids in Maryland who become new daily smokers each year, too. These numbers are alarming and demonstrate the need for local governments, like Baltimore County, to have the power to regulate the tobacco sales and distribution within their respective jurisdictions if needed. The needs among the jurisdictions are heterogenous and without such authority, local governments cannot respond to the critical public health matters to protect their own constituents.

History, too, demonstrates the importance of doing away with state preemption power. For example, in Maryland, it was the local jurisdictions of Baltimore City, Howard, Talbot, Montgomery, Charles, Prince George's County, Baltimore Counties who passed clean indoor air laws prior to the statewide one. Those local actions set the examples for the state, and in 2007, the state did take the historic step to pass it. Further, in 2009, Prince George's County became one of the first jurisdictions to pass an ordinance imposing a minimum pack size for cheap cigars. PG county responded to the increase use of individually sold cigars by young people in its jurisdiction. In 2013, that ordinance, was challenged in court and over turned on the grounds of preemption. Since then, local governments are prohibited from passing new laws relating to tobacco sales and distribution. They are even hesitant to enforce existing tobacco ordinances for fear of further lawsuits from the tobacco industry.

Now we are living through a global pandemic. COVID-19 can severely impact lung health and research shows that smokers who catch COVID are more likely to develop serious symptoms. This state of the world further highlights the urgency of local governments to have the power to act in the best interest of their communities to keep them healthy and make them healthier.

For each of these reasons, I strongly urge to vote yes on HB442 and give power back to Baltimore County to respond to its own needs. Maryland is a diverse state and Baltimore County should be able to respond to its specific needs in the area of tobacco sales and distribution. Public health demands it, and our kids deserve that protection. Thank you.

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