



American Lung Association Testimony House Bill 238
House Economic Matters
February 16, 2024
Support

Chair Wilson, Vice-Chair Crosby and Members of the Committee:

We thank you for the opportunity to provide comments on House Bill 238 which would include electronic smoking devices in Maryland's Clean Indoor Air Act and close an important loophole. The American Lung Association supports this legislation as written with no additional amendments as an important step to protect residents from exposure to secondhand smoke including e-cigarette emissions.

The American Lung Association is the leading organization working to save lives by improving lung health and preventing lung disease, through research, education and advocacy. The work of the American Lung Association is focused on four strategic imperatives: to defeat lung cancer; to improve the air we breathe; to reduce the burden of lung disease on individuals and their families; and to eliminate tobacco use and tobacco-related diseases.

The American Lung Association believes that the use of electronic smoking devices should be prohibited in all places where the smoking of other tobacco products are prohibited. We have continued to fight for strong laws and policies to make our communities in Maryland and across the country smokefree. All Americans deserve to live, work, study and play in smokefree environments. By implementing smokefree environments, all workers and patrons can be protected from the dangers of all types of secondhand smoke, including e-cigarette emissions.

The current Clean Indoor Air statute in Maryland, has a significant loophole by not currently including the use of electronic smoking devices. Under House Bill 238 this loophole would be eliminated, and electronic smoking devices would not be permitted anywhere tobacco use is prohibited. **The American Lung Association supports measures to require totally smokefree environments, including prohibiting the smoking or vaping and encourages lawmakers to oppose any attempts to undermine Maryland's Clean Indoor Act.**

Research has clearly demonstrated that there is no safe level of exposure to toxic secondhand smoke.¹ While ventilation or air purification systems are sometimes promoted as a way to reduce exposure to secondhand smoke, ventilation cannot remove all secondhand smoke and does not purify the air at rates fast enough to protect people from harmful toxins. The U.S. Surgeon General has concluded that even separating smokers from nonsmokers, cleaning the air, and ventilating buildings cannot eliminate exposure of nonsmokers to secondhand smoke.

The only effective way to fully protect nonsmokers from exposure to secondhand smoke is to completely eliminate smoking and vaping in indoor public spaces.²

Secondhand smoke is also an occupational hazard for many workers. Job related exposure to secondhand smoke is a significant, but entirely preventable, cause of premature death among U.S. workers. The National Institute of Occupational Health and Safety (NIOSH) and the US Surgeon General found that occupational exposure to secondhand smoke increases workers' risk of lung cancer and other diseases. Patrons were also found to have significantly elevated levels of a tobacco-specific lung carcinogen after a four-hour visit to a casino that allowed smoking.^{3 4} The American Society of Heating, Refrigerating and Air-Conditioning Engineers states that the only way to eliminate indoor exposure to environmental tobacco smoke is to eliminate all indoor smoking and vaping activity.

Thank you for your continued commitment to the health and wellbeing of the residents of Maryland, we urge you to support House Bill 238 as currently written which would eliminate indoor use of electronic smoking devices and oppose any amendments that would undermine the strong clean indoor air protections in Maryland.

Sincerely,



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¹ U.S. Department of Health and Human Services (HHS). *The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General*. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006.

² HHS, 2006.

³ Anderson KE, Kliris J, Murphy L, et al (2003). Metabolites of a Tobacco-Specific Lung Carcinogen in Nonsmoking Casino Patrons. *Cancer Epidemiol Biomarkers Prev* 12(12):1544-6.

⁴ Americans for Nonsmokers' Rights. Smokefree Casinos. <https://nonsmokersrights.org/smokefree-casinos>