

The New York Times

## Wheels

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MARCH 15, 2012, 4:45 PM

### Maryland Is Latest State to Consider Smoking Ban in Cars Transporting Children

By [PAUL STENQUIST](#)

On Wednesday, the Maryland Senate passed a bill ([PDF](#)) that would prohibit smoking in vehicles when transporting a child under 8 years old, a move to protect children from secondhand smoke. If the bill is approved by the House and eventually enacted into law, Maryland would join a number of other states to ban smoking in vehicles when children were inside.

According to a Feb. 1 report by the New Jersey-based nonprofit Global Advisers on Smokefree Policy, which advocates for smoking bans nationwide, Arkansas, California, Louisiana, Maine and Puerto Rico have enacted bans, as have numerous local governments, including Rockland County, N.Y., Keyport, N.J., and Monroe County, Ind. Many laws are more restrictive than that proposed by the Maryland Senate, in that the age threshold for protected children is 14-18 years in most jurisdictions.

New York State Senator Toby Ann Stavisky and Assemblywoman Nettie Mayersohn [sponsored a similar bill](#) in 2010, which would have applied to children 14 and younger. Ms. Mayersohn is no longer a member of the assembly, but Assemblyman [David I. Weprin is co-sponsoring the bill](#).

In a telephone interview, Ms. Stavisky said the bill introduced by Mr. Weprin made it out of the Assembly's health committee and was referred to the code committee. She expects it to come up for a vote after the state's budget issues have been resolved.

"The longer we wait the more children will be endangered," Ms. Stavisky said. "Secondhand smoke can be very harmful to children because their lungs are not fully developed. And a child can't tell the adult to stop smoking. We're putting children at risk."

[Action on Smoking and Health](#), a nonprofit organization representing the rights of nonsmokers, claims that the concentration of pollutants in a car when one person smokes can exceed the smoke pollution level in a typical bar. Though smoking in bars has been banned in many states, some of those same states provide no similar protection for children in vehicles, the organization noted.

A report ([PDF](#)) published by the surgeon general in 2006 noted that the poisons in tobacco smoke harm babies more than they do adults, saying babies who are around secondhand smoke

are more likely to die of sudden infant death syndrome than those who are not exposed. The report also cited studies that claimed children in households where a smoker was present were more likely to get sick.

According to [The Washington Post](#), supporters of the Maryland bill, which would impose fines of up to \$50, assert that children are entitled to protection from secondhand smoke in vehicles because they cannot avoid exposure.

Those opposed to the legislation, meanwhile, feared that an outright ban would lead to government regulation of other private behaviors.

“There’s not one good reason to smoke in a car with your kid, but that’s not the question,” Senator James Brochin, a Democrat, was quoted saying [in a report by The Washington Times](#). “The question is how much do we regulate the relationship between a parent and child?”