

THE COUNCIL OF THE CITY OF NEW YORK
OFFICE OF COUNCIL MEMBER JAMES F. GENNARO

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***** PRESS RELEASE *****

Gennaro Calls for smoke-free cars in New York City
Proposes legislation banning smoking in vehicles carrying minors

Today, New York City Councilman James F. Gennaro (D-Queens) stood with supporters to introduce his smoke-free cars legislation, which makes it unlawful for any operator or passenger in a vehicle to smoke when a person younger than 18 is present.

“Protecting children from the dangers of secondhand smoke is my highest priority, both as a parent and as chair of the Environmental Protection Committee of the New York City Council,” Gennaro said. “This legislation will help keep our children healthy and smoke-free in this city, where asthma has reached critical heights, afflicting 300,000 children.”

Children who spend one hour in a smoke-filled room are inhaling as many dangerous chemicals as they would if they had smoked 10 or more cigarettes, according to the Mayo Clinic. This is intensified within the confines of a vehicle, where there are only several cubic feet of air.

“It is my belief that people’s right to privacy doesn’t extend to force-feeding their children cigarettes within the confines of the car,” Gennaro said. “This legislation will act as a deterrent, will inform parents of the dangers of secondhand smoke and will help to de-normalize smoking.”

Joining Gennaro were City Councilman David I. Weprin (D-Queens), representatives from the Center for Tobacco Control at North Shore-Long Island Jewish Health System, the Rockland County Legislature, the Keyport, NJ Board of Health, the New Jersey Group Against Smoking Pollution (GASP), and others. Additional supporters include the American Lung Association, the Environmental Advocates of New York, the Asthma and Allergy Foundation of America and Respiratory News and Views.

“Secondhand smoke kills, and there is no disputing that fact,” City Council Finance Chair David Weprin said. “We must employ all means within our power to ensure that minors are not subjected to the dangers of secondhand smoke simply because they are passengers in a car with an adult who smokes.”

Gennaro's legislation is modeled upon a law passed in Rockland County on June 15, 2007 that made it unlawful for anyone to smoke in a vehicle carrying minors. Rockland County Legislator Connie Coker introduced the unanimously adopted bill that became law.

“My job as a nurse-midwife and a county legislator is to protect and promote health. I decided to sponsor this legislation to take a stand against tobacco companies that are selling disease through addiction to nicotine,” Coker said. “Councilman Gennaro’s legislation emphasizes the hazards of smoking around babies and children, and is a powerful deterrent.”

Nurse practitioner and Keyport, NJ Board of Health member Jon Barone led the movement to prohibit adults from smoking in cars with children in Keyport, which became the first township in New Jersey to pass such legislation.

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“Councilman Gennaro and New York have recognized that tobacco smoke constitutes a substantial health hazard to the nonsmoking majority,” Barone said. “Secondhand smoke is a major, preventable contributor to acute and chronic adverse health outcomes that affect children.”

Louise Vetter, president and CEO of the American Lung Association of the City of New York said she and the NYC ALA support “efforts to reduce and eliminate exposure to secondhand smoke as a positive step toward safeguarding the health of our children.”

The Environmental Advocates of New York shared this opinion: “Many children in the New York City metro area are already exposed to air that does not meet federal air quality standards,” said David Gahl, Air & Energy Program Director for EANY. “Banning smoking in cars carrying children will ensure that thousands of our children are not exposed to the additional and proven harm of secondhand smoke.”

Childhood exposure to secondhand smoke (SHS), known as involuntary smoking, poses tremendous health risks to children. Secondhand smoke, also called environmental tobacco smoke (ETS), contains more than 4,000 chemicals, 250 poisons and 43 carcinogens, including ammonia, arsenic, benzene, formaldehyde, hydrogen cyanide and urea. This lethal combination causes cancer, disease and premature death.

“No parents would ever open barrels of benzene in their vehicles, but they don’t realize that smoking in their cars has the same effect,” said Virginia Reichert, director of the Center for Tobacco Control at North Shore-Long Island Jewish Health System. “Parents want the best for their children and this law will indeed help protect the health of their loved ones.”

These chemicals damage the lungs of infants and young children whose pulmonary organs are still developing. Children who inhale SHS have decreased lung function, and are more likely to suffer from breathlessness, cough, phlegm and wheeze, as well as bronchitis and pneumonia.

“Infants and toddlers cannot communicate that secondhand smoke is harming them, other than to cough, exhibit respiratory distress, or show other symptoms. Teens can communicate verbally, but often do not for fear of parental scolding,” said New Jersey GASP Director Karen Blumenfeld. “Banning smoking in cars with children provides a consistent message about the dangers of secondhand smoke and smoking.”

SHS is a risk factor for induction of new cases of asthma among children and adolescents. It also exacerbates up to one million cases of asthma in the U.S. annually. In New York City alone, roughly 300,000 children suffer from asthma: if involuntarily smoking, their asthma attacks will worsen.

“In a city where asthma rates have reached an all time high, it is crucial that we eliminate all preventable and avoidable irritants, such as secondhand smoke,” Gennaro said. “Maintaining breathable, healthy, high-quality air in our vehicles will heavily contribute to reducing asthma and other respiratory ailments.”

SHS is responsible for about 300,000 lower respiratory tract infections in infants and children younger than 18 months. These infections result in up to 15,000 hospitalizations and 430 sudden infant death syndrome (SIDS) deaths in the U.S. annually.

“The Asthma and Allergy Foundation of America believes it is essential to implement and enforce laws prohibiting drivers and passengers from smoking in a car when a minor is present,” said AAFA Executive Director Bill McLin.

The NYPD is empowered to enforce this restriction. **The penalties for violation are negotiable, but have been preliminarily set at \$100.**

Rockland County, Keyport and West Long Branch, New Jersey, Arkansas, Louisiana, Puerto Rico, Bangor, Maine, and South Australia protect children from secondhand smoke in private vehicles. The New Jersey Senate unanimously passed a similar bill in June 2007 and other states are in the process. Six states ban smoking in cars that transport foster children: Maine, New Jersey, Oregon, Texas, Vermont and Washington.

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