

Act 135 extends secondhand smoke protections

in hotels and motels, workplaces, public places, childcare facilities and motor vehicles. Act 135 is also an important step in reducing child poisonings from e-cigarette liquids. Below you will find the major components of the law, implications for public health, and how you can help inform and promote the law in your communities. Most provisions of the law are effective July 1, 2014. For more information or to report a violation, contact tobaccovt@state.vt.us or call 1-866-331-5622.

Hotels and Motels

What does the law do? Prohibits smoking in rooms rented to guests in hotels, motels, and other lodging establishments. The Health Department's Food & Lodging Program will inspect for and follow up on complaints of violations.

Why is it important? More than 11,000 Vermonters currently work in the accommodation industry. Act 135 means that hotel and motel employees will not have to be exposed to secondhand smoke while at work. It will also protect the nearly 14 million visitors who come to the state each year. Hotel guests are at risk for second and third-hand smoke exposure even if they are staying in a non-smoking room. There is no safe level of exposure to secondhand smoke, and it remains a major cause of disease, disability and premature death among non-smokers.

What can you do to help? Inform your community about the importance of this protection for all workers and travelers. Every Vermont employee and visitor should be equally protected from secondhand smoke. Talk with hotel owners and employees about the law and the protections it places on them and their customers. Let the community know that if they see a violation to this rule, they may contact the Health Department's Food & Lodging Program.

School Grounds and Childcare Facilities

What does the law do? Act 135 prohibits tobacco use and the use of tobacco substitutes such as e-cigarettes, on all public school grounds and at school sponsored functions. This moves Vermont closer to having 100% tobacco-free school grounds, 100% of the time, and sends the message that tobacco use is unacceptable in environments that foster positive youth development.

Act 135 also expands protections for youth in licensed childcare facilities by prohibiting the use of tobacco products and tobacco substitutes on indoor and outdoor premises at all times. For registered family child care homes, the law bans the use of tobacco and tobacco substitutes when children are in care, and requires that parents be notified if smoking occurs in the home at other times.

Why is it important? Prior to this law there were many inconsistencies with tobacco-free policies in Vermont schools and, according to the Centers for Disease Control & Prevention's *2012 School Health Profiles*, only 55 percent of Vermont secondary schools prohibited tobacco use at all times and in all locations. Act 135 creates one policy for the entire state. It applies to public school grounds and school-sponsored functions, regardless of whether children are present, and includes everyone, not just students. Including tobacco substitutes such as e-cigarettes in the law protects children from a quickly emerging and unregulated product. Youth are at increasing risk for using e-cigarettes, and from 2011 to 2012 e-cigarette use more than doubled among U.S. middle school and high school students. For child care facilities, Act 135 provides stronger protections for Vermont's youngest and sends a strong message that secondhand smoke is an unacceptable risk to children.

What can you do to help? Inform the community, especially parents and school staff, of the dangers of both secondhand smoke and youth initiation. Act 135 equally protects every child at every public school. Tell parents that they have a right to know if smoking is occurring in a registered family child care home, and they should ask if smoking occurs on the property.

State Buildings & Properties

Act 135 establishes a 25-foot minimum smoke-free boundary around *all* State-owned buildings and offices. Additional areas of property or grounds owned by or leased to the State may be designated as smoke-free as well. State buildings that already have a 50-foot boundary can continue enforcing as already established. This law creates more consistency and demonstrates that Vermont supports healthy smoke-free environments for its workers and constituents. If a State building lacks smoke-free signage or the policy appears unenforced, call 1-866-331-5622.

State Operated Hospitals

Act 135 requires a smoke-free campus for State-owned and operated hospitals or secure recovery facilities. This mainly affects the Vermont Psychiatric Care Hospital, which will have a smoke-free campus when it opens. This is separate from the July 1st requirement of several mental health/substance abuse facilities to implement tobacco-free policies. Both Act 135 and the July 1st requirement are part of an overall effort by the Agency of Human Services to promote tobacco-free policies for all organizations that serve people with mental illness and substance use disorders. Vermont data from 2010 showed that 38 percent of people with a mental illness smoke. This is double the smoking rate for Vermont as a whole. Creating a smoke-free environment for people who are affected by mental illness and substance abuse is an evidence-based way to improve the delivery of tobacco cessation services to clients and staff.

E-liquids

What does the law do? Act 135 bans the sale of liquid or gel substances containing nicotine in Vermont unless the product is in child-resistant packaging, excluding cartridges not designed to be opened by the consumer.

Why is it important? The Centers for Disease Control and Prevent reports a dramatic increase over the past four years in the number of e-cigarette related calls to poison control centers – rising from one call per month in September 2010 to 215 per month in February 2014.

Half (51%) of the e-cigarette related calls to poison control centers involved children under the age of 5. According to CDC Director Tom Frieden, “E-cigarette liquids as currently sold are a threat to small children because they are not required to be childproof.” Act 135 is an important first step in protecting young children from nicotine poisoning, and Vermont is leading the way as one of only two states to implement this sort of restriction.

What can you do to help? Inform your community about the dangers of e-liquid poisonings and the vulnerability of young children to exposure.

Motor Vehicles

What does the law do? Act 135 prohibits smoking in motor vehicles occupied by children (ages 7 and younger) who are required to be in a car seat or booster seat. This is a primary offense, meaning a driver can be pulled over and cited even if no other violations occurred. The violation is punishable by a fine of up to \$100.

Why is it important? There is no safe level of exposure to secondhand smoke, and it is especially dangerous to children, as their organs and immune systems are not fully developed. Children exposed to secondhand smoke are at increased risk for Sudden Unexpected Infant Death (SUID or SIDS), respiratory infections, pneumonia, bronchitis, chronic coughing, shortness of breath and ear infections. Secondhand smoke in cars can reach dangerously high levels, even with the car windows open, and in car rides as short as five minutes.

What can you do to help? Inform the public that this law will be in effect starting July 1, 2014, and that it increases secondhand smoke protections for those most vulnerable to its harmful effects. Tell the public about the dangers of secondhand smoke and how this law protects children. Our goal is not to fine or ticket but to change the acceptability of smoking around children and protect those who cannot protect themselves.