

## Laws Banning Smoking in Vehicles Carrying Children – International Overview

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**Summary:** Laws prohibiting smoking in vehicles carrying children have been adopted in the U.S. states of California, Arkansas and Louisiana, the U.S. municipalities of Bangor (Maine), Keyport (New Jersey), and Rockland County (New York), as well as Puerto Rico and the Australian state of South Australia. Bills are currently before several U.S. state legislatures, the South African Parliament and the Parliament of the Australian state of Tasmania. The Government of the Australian Capital Territory is also considering bringing forward such legislation.

Listed below are the jurisdictions, the applicable age, the date the law came into force, and the date the law was adopted. Applicable age refers to under the age, thus “18” (for example) means that smoking is prohibited in a vehicle carrying someone under age 18.

<b>Jurisdiction</b>	<b>Applicable Age</b>	<b>Date Law in Force</b>	<b>Date Law Adopted</b>
<b><u>U.S. states</u></b>			
1. Arkansas	if car seat required <sup>1</sup>	July 21, 2006	Apr. 10, 2006
2. Louisiana	13 <sup>2</sup>	Aug. 15, 2006	July 5, 2006
3. California	18	Jan. 1, 2008	Oct. 10, 2007
<b><u>U.S. municipalities</u></b>			
3. Bangor, Maine	18	Jan. 18, 2007	Jan. 8, 2007
4. Keyport, New Jersey	18	Apr. 26, 2007	Apr. 24, 2007
5. Rockland County, N.Y.	18	June 21, 2007	June 15, 2007
<b><u>Australian states and territories</u><sup>3</sup></b>			
6. South Australia	16	May 31, 2007	Apr. 5, 2007
<b><u>Other</u><sup>4</sup></b>			
7. Puerto Rico (US Commonwealth in Caribbean)	13	Mar. 2, 2007	Mar. 2, 2006

<sup>1</sup> In Arkansas, a car seat is required when a child is less than six years of age and weighs less than sixty pounds (per s. 27-34-104(b) of the Arkansas State Code).

<sup>2</sup> Louisiana Revised Statute 32:295 sets out various rules for car seat and seat belt use that apply to all child passengers up to and including age 12. See: <http://www.legis.state.la.us/lss/lss.asp?doc=88231>

<sup>3</sup> In the state of Tasmania, a Government bill to ban smoking in cars with kids under age 18 was introduced in the Tasmanian Parliament on August 22, 2007 (Bill 39 of 2007, *Public Health Amendment Bill 2007*); see [http://www.parliament.tas.gov.au/bills/pdf/39\\_of\\_2007.pdf](http://www.parliament.tas.gov.au/bills/pdf/39_of_2007.pdf). The Australian Capital Territory is considering similar legislation; see Media Release, Jon Stanhope, Chief Minister, Australian Capital Territory, June 6, 2007: <http://www.chiefminister.act.gov.au/media.asp?media=2614&section=53&title=Media%20Release&id=53>.

<sup>4</sup> In South Africa, there is a Government bill to ban smoking in vehicles carrying kids before the Parliament of South Africa (B24B-2006, *Tobacco Products Control Amendment Bill*, section 2, to enact section 2(1)(a)(iii) ).