

STAND. COM. REP. NO.

2009

Honolulu, Hawaii

FEB 02 2016

RE: S.B. No. 2083

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Transportation and Energy, to which was referred S.B. No. 2083 entitled:

"A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit smoking in a motor vehicle when a minor is present.

Your Committee received testimony in support of this measure from the Department of Health, County of Hawaii Police Department, County of Kauai Office of the Prosecuting Attorney, Coalition for Tobacco-Free Hawaii, Hawaii COPD Coalition, Hawaii Public Health Association, Global Advisors on Smokefree Policy, Coalition For A Tobacco Free Hawaii, University of Hawaii Student Health Advisor Council, and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii Smokers Alliance and six individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that secondhand smoke is a dangerous class A carcinogen in the same class as asbestos and benzene. Secondhand smoke typically contains at least seven thousand identifiable chemicals, around seventy of which are known or probable carcinogens. The Fiftieth Anniversary United States Surgeon General Report, released on January 17, 2014, states that any level of exposure to secondhand smoke is dangerous and over two and a half million nonsmokers have died from health problems caused by secondhand smoke since 1964.

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Your Committee further finds that children generally breathe in more air than adults because their lungs are still developing. Children also have little or no control over their environments and cannot leave if secondhand smoke bothers them. As a result, children exposed to secondhand smoke run a greater risk of suffering from the damaging health effects.

According to testimony, extensive scientific literature shows that passive smoke exposure in a confined space, such as inside a car, is particularly harmful. Further studies demonstrate the concentration of toxins in a smoke-filled car is twenty-three times greater than that of a smoky bar. Children are especially vulnerable to the contaminants of secondhand smoke because their bodies are still developing. Children breathe more rapidly than adults, and therefore inhale more harmful chemicals per pound of their weight than do adults in the same amount of time.

As of June 2015, over twenty jurisdictions within the United States have enacted smoke-free vehicle laws to protect minors, including California, Oregon, and the County of Hawaii. Specifically, section 14-21, Hawaii County Code, prohibits smoking "in any vehicle, whenever occupied by a person less than eighteen years of age."

As affirmed by the record of votes of the members of your Committee on Transportation and Energy that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2083 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Labor and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Transportation and
Energy,


LORRAINE R. INOUE, Chair



