

SENATE BILL REPORT

SB 6287

As Reported By Senate Committee On:
Health & Long-Term Care, January 30, 2008

Title: An act relating to children's health.

Brief Description: Prohibiting smoking in a motor vehicle when a child is in the motor vehicle.

Sponsors: Senators Marr, Franklin, Fraser, Rockefeller, Oemig, Shin and Kohl-Welles.

Brief History:

Committee Activity: Health & Long-Term Care: 1/28/08, 1/30/08 [DP, DNP, w/oRec].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass.

Signed by Senators Keiser, Chair; Franklin, Vice Chair; Fairley, Kohl-Welles and Marr.

Minority Report: Do not pass.

Signed by Senators Pflug, Ranking Minority Member; Carrell and Parlette.

Minority Report: That it be referred without recommendation.

Signed by Senator Kastama.

Staff: Rhoda Donkin (786-7465)

Background: Secondhand smoke is a mixture of smoke given off by a tobacco product and the smoke exhaled by smokers. It is estimated that secondhand smoke contains up to 4,000 substances several of which are known to cause cancer in humans or animals.

Exposure to secondhand smoke can cause asthma in children who have not previously exhibited symptoms. It also increases the risk of Sudden Infant Death Syndrome, pneumonia, bronchitis, and middle ear infections in children.

Children are considered particularly vulnerable to secondhand smoke because they breathe faster than adults and are still developing physically. Smoking inside a home or car is considered more dangerous because smoke gets trapped inside in high concentrations.

Summary of Bill: It is unlawful for a person to smoke a pipe, cigar, or cigarette in a motor vehicle when a child 13 years or younger is present. A violation is a class 2 civil infraction. Enforcement may only occur as a secondary action when the driver has been detained for a suspected traffic violation.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Infractions will not become part of the driver's record, nor made available to insurance companies or employers.

Appropriation: None.

Fiscal Note: Requested on January 21, 2008.

Committee/Commission/Task Force Created: No.

Effective Date: This bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony: PRO: Kids can't control their environment and they are much more susceptible to the dangers of secondhand smoke than adults. Secondhand smoke is associated with serious respiratory illnesses. We already prevent foster parents from smoking in vehicles when foster kids are inside the car, we should be protecting all kids. Fines will serve as a deterrent. We think the age should be up to 18.

Persons Testifying: PRO: Nick Federici, American Lung Association; Sarah Cherin, Children's Alliance; Jeff Killip, Washington Association of Local Public Health Officers; Len Sanderson, Pierce County Tobacco Advocacy; Rick Jensen, Troopers Association.