

**Testimony in Support of Senate Bill 244**  
PUBLIC HEALTH – CLEAN INDOOR AIR ACT – REVISIONS  
*Before the Finance Committee: February 8, 2024*

On May 17, 2007, the Clean Indoor Air Act was signed into law to preserve and improve the health, comfort, and environment of the people of Maryland by limiting exposure to environmental tobacco smoke.<sup>1</sup> The Clean Indoor Air Act prohibits smoking in virtually all indoor workplaces and provides statewide protection from exposure to secondhand smoke in indoor settings.<sup>2</sup>

Senate Bill 244 prohibits vaping tobacco or cannabis products in spaces where smoking is currently prohibited by the Clean Indoor Air Act, including indoor workplaces and public places and on public transportation. Specifically, it prohibits vaping in indoor areas open to the public and where meetings are open to the public, indoor places of employment, and government owned or operated public transportation.

It also requires that signs stating “No smoking or vaping” be noticeably posted and maintained in every indoor area and at each public entrance to places open to the public where smoking or vaping would be prohibited. Similarly, the bill requires that signs stating, “Smoking or vaping permitted in this room,” are noticeably posted and maintained where smoking and vaping are allowed.

As our State continues to fight against the devastating effects of tobacco addiction, vaping presents a new threat to the well-being of former smokers. The presence of vaping in public indoor spaces not only jeopardizes the progress made in lowering smoking rates, but it also poses a direct risk of triggering relapse among those who have already successfully quit.

Former smokers – having climbed a steep mountain to break the relentless grip of tobacco addiction – find solace, security, and support in Maryland’s smoke-free environments. Allowing vaping in these spaces threatens to dismantle any hard-fought progress Marylanders have made to free themselves from smoking addictions. Vaping seduces potential users with a variety of flavors and implications that it is merely water vapor, and it becomes a dangerous trigger for relapse among former smokers.<sup>3</sup> The sensory experience, reminiscent of the very habit they fought to break free from, can bait Marylanders to undo years of resilience in a single, unsuspecting moment. The risk of a relapse not only endangers the physical health of Marylanders but also opens emotional and psychological wounds by reminding them of the struggles they thought were behind them.

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<sup>1</sup> Maryland Department of Health, [Clean Indoor Air Act](#).

<sup>2</sup> *Id.*

<sup>3</sup> King, Andrea et al., [Passive exposure to electronic cigarette \(e-cigarette\) use increases desire for combustible and e-cigarettes in young adult smokers](#), National Library of Medicine, May 21, 2014.

Christopher Daffin  
Public Health Law Clinic  
University of Maryland Carey School of Law

500 W. Baltimore St.  
Baltimore, MD 21301  
[publichealth@law.umaryland.edu](mailto:publichealth@law.umaryland.edu)

Vape usage is on the rise. Between 2016 to 2022, the percentage of adults in Maryland who currently use e-cigarettes increased by 1.4 percentage points, compared to the study average of 3.1 percentage points.<sup>4</sup> While this increase is below the national average, it is still threatening enough to our progress that it needs to be addressed.

It is imperative that Maryland – as a national leader on good public health policy – codifies SB 244 into the laws of our State. Banning vaping from public indoor spaces is not just a matter of public policy – it is an act of compassion and empathy for those who have fought tirelessly to break free from the chains of smoking addiction. In the spirit of supporting Marylanders’ journeys toward a healthier and addiction-free life, I urge a favorable report on SB 244.

*This testimony is submitted on behalf of the Public Health Law Clinic at the University of Maryland Carey School of Law and not by the School of Law, the University of Maryland, Baltimore, or the University of Maryland System.*

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<sup>4</sup> *Id.*