



Smoke-Free Cars

The Marco Firebaugh Memorial Children's Health and Safety (H&S) Act of 2007 • H&S Code §118947

Fact Sheet

Law Summary

Effective January 1, 2008, H&S Code §118947 bans the smoking of any cigarette, pipe, or cigar in a moving or parked vehicle while a youth younger than the age of 18 is present.

Purpose of the Law

As a result of this law, children in cars will breathe less secondhand smoke. It may also help reduce cigarette litter on streets and highways, reduce roadside fires, and help smokers to quit.

Children are especially at risk to the harmful health effects caused by breathing secondhand smoke in confined spaces, such as a car or truck. The level of toxic air in a vehicle when someone is smoking is up to ten times greater than the level which the United States Environmental Protection Agency considers hazardous.

The harmful chemicals in secondhand smoke can remain in the air and on surfaces in a car or truck for many hours, and even days, after a cigarette has been smoked. These chemicals stick to surfaces, such as a child's car seat, making it a potential hidden source of danger for children.

What types of vehicles does the law apply to?

Smoking is banned in **all vehicles** when youth are present.

What is the fine for violators of this law?

Smokers can be fined up to \$100 for smoking in vehicles when youth are present.

Who has the authority to enforce the law?

H&S Code §118947 will be enforced by law enforcement officers such as: City Police officers, Sheriff Deputies, and California Highway Patrol officers. Law enforcement officials may not stop a vehicle for a smoking violation alone.

Where can I get more information?

Contact your local health department's tobacco control program; the California Department of Public Health, Tobacco Control Section at www.cdph.ca.gov; or the California Clean Air Project at www.ccap.etr.org.

Where can I find helpful information on quitting smoking?

Californians who would like help to quit smoking can contact the California Smokers' Helpline at 1-800-NO-BUTTS (English), 1-800-45-NO-FUME (Spanish) or www.NoButts.org for a free personalized quitting plan.

**“The debate is over.
The science is clear.
Secondhand smoke
is not a mere
annoyance but a
serious health
hazard.”**

– 2006 Surgeon General's Report



¹ Department of Health and Human Services, Surgeon General's Report on involuntary secondhand smoke exposure. 2006

² Ott, Klepeis, and Switzer. Air Change Rates of Motor Vehicle and In-Vehicle Pollutant Concentration for Secondhand Smoke. 2007

³ Matt. Households Contaminated by Environmental Tobacco Smoke: Sources of Infant Exposure. 2004