

Star-Ledger

Ban smoking with kids in the car in N.J.: Editorial

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Nearly 90 percent of Americans would ban smoking in cars with children 13 and younger, including 60 percent of smokers.

If a parent insists on living in denial about the poisons in every puff of cigarette smoke, their children shouldn't have to go along for the ride.

Sen. Jim Beach (D-Camden) **wants to expand New Jersey's Smoke-Free Air Act** to include \$100 fines for anyone who smokes in a car with children 16 or younger. Put that in the category of "laws that shouldn't be necessary, but are." It's an idea no compassionate person — parents or not — should oppose.

Seven states are already on board. Arkansas, California, Illinois, Louisiana, Maine, Oregon and Utah have similar laws, but with varying age cutoffs.

New Jersey already restricts behind-the-wheel behavior. Drinking, texting and hand-held cell phones are banned. Car seats for kids, seat belts for adults. So what's wrong with a smoking ban with kids in the car? The measure has strong public support. A July 2013 study found 87 percent of Americans would ban smoking in cars with children 13 and younger — including 60 percent of smokers.

Researchers at Harvard found "alarming" levels of second-hand smoke in cars after just five minutes. It didn't matter if the windows were down. The air pollution was even higher than in similar studies of smoky bars, including heightened levels of carbon monoxide.

Healthwise, smoking with children in a house isn't much different. But regulating behavior in the home presents constitutional problems. Despite the predictable protests, a kids-in-the-back-seat ban doesn't restrict smokers' personal freedoms. Beach's bill wouldn't curb anyone's ability to smoke — as long as it's not imposed on helpless bystanders, such as children.

When New Jersey banned smoking in bars and restaurants in 2006, it seemed crazy. Today, it seems crazier to light up indoors. Adults have a right to smoke in their own vehicles. But when children are present, the freedom to fill a car with smoke should take a back seat.

http://blog.nj.com/njv_editorial_page//print.html?entry=/2013/10/ban_smoking_with_kids_in_the_c.html