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New York State Bans Vaping Anywhere Cigarettes Are Prohibited

By **Sarah Maslin Nir**

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Electronic cigarettes, the popular vapor substitute to traditional tobacco cigarettes, will soon be banned from public indoor spaces in New York State — just like the real thing.

Gov. Andrew M. Cuomo on Monday signed a bill to ban vaping anywhere cigarettes are already prohibited, like workplaces, restaurants and bars. The ban goes into effect in 30 days.

E-cigs, as the products that vaporize a variety of oils into an inhalant are generally known, were added to the state's Clean Indoor Air Act this summer by the State Assembly, and the measure was approved by the Senate. The original act has been around since 2003, when smoking tobacco products in public indoor areas was first banned in the state, one of the country's first such measures.

New York has come down fiercely on e-cigs, even as their popularity grows: they now represent a \$2.5-billion industry, according to the Centers for Disease Control and Prevention, which says that while the health consequences of the product are little understood, there are still reasons for concern, including nicotine addiction.

A 2016 study by the New York State Department of Health showed that 20 percent of children had tried the products, double from just two years prior. In July, the state banned e-cigs from all school grounds.

“These products are marketed as a healthier alternative to cigarettes, but the reality is they also carry long-term risks to the health of users and those around them,” Mr. Cuomo said in a statement. “This measure closes another dangerous loophole in the law, creating a stronger, healthier New York for all.”

In New York, around 70 percent of the state's municipalities already have bans in effect, according to the American Lung Association. New York City's ban has been in place since 2013, when then-Mayor Michael R. Bloomberg included it in the city's Smoke Free Air Act.

But manufacturers have not gone quietly in the city. They have mounted several legal challenges, arguing that e-cigs do not qualify because technically they do not emit smoke. The most recent challenge to New York City's ban was rejected this year in the New York State Court of Appeals, which found that the inclusion of e-cigs in the law was valid.

Jeff Seyler, the executive vice president of the American Lung Association's Northeast region, said, "This new law not only protects public health by restricting the use of e-cigarettes and the public's exposure to smoke-cigarette emissions," but it also shields children, for whom the products are "just another tool reeling them into a dangerous and often lifetime of addiction to nicotine."

But proponents of devices like e-cigs and vaporizers — larger, cellphone-size gadgets — say they are a safer alternative to cigarettes and may help with smoking cessation. Studies so far have been limited and short term, and are not conclusive on either front.

At Long Island Vape, in Huntington Station, N.Y., the owner, Aman Singh, said the rules were unnecessary — the social mores that govern cigarette smokers already are in play when it comes to vapers, he said. "Our customers know that they can't be walking through a store vaping, or sitting at a bar vaping," he said. "They don't feel like doing it anyway because it's obnoxious."

Mr. Singh acknowledged that the product he sells may be a health risk, but he says it is a lesser evil; most customers use it as way to quit traditional cigarettes, he said.

"We're out here trying to help people," he said, adding he worries about the impact ever-tighter strictures on e-cigarettes would have on his customers. "I think people will start smoking cigarettes again."

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