



Public Health
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Frederick County Health Department

News Release

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FOR IMMEDIATE RELEASE:

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NEW STATE LAW AIMS TO PREVENT SALES OF E-CIGS TO YOUTH

FREDERICK, MD -- During the 2018 Maryland General Assembly, legislation was passed making changes to the current laws related to the distribution and/or sales of tobacco products and Electronic Nicotine Delivery Systems (ENDS). Vapes, electronic cigarettes (e-cigarettes), or vaporizers are terms used to describe an electronic system used to smoke a noncombustible flavored solution often containing nicotine.

Maryland House Bill 1094 (HB1094) went into effect Monday October 1, 2018. Under the new law, a retailer may be charged with a criminal misdemeanor for distributing and/or selling ENDS products to minors. The fines associated with the criminal misdemeanor would mirror those fines of a civil citation.

HB1094 also increases the fine penalties for civil citations issued for the distribution and/or sale of ENDS to minors. First time retailers found in violation will face a fine for \$300 (no change from the previous law).

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However, for subsequent violations, the penalties will increase to \$1,000 for the second violation (if within 24 months of the first violation) and \$3,000 for each subsequent violation (if within 24 months of the previous violation).

Although state law prohibits the distribution and/or sale of ENDS products to anyone under 18, it was previously not illegal for a minor to possess them. HB1094 imposes penalties for minors using, possessing, obtaining, or attempting to obtain an ENDS product.

While laws related to criminal violations can only be enforced by sworn law enforcement personnel, the civil penalties may also be issued by County Health Officers and/or a Designee of the County Health Officer.

The percentage of both Frederick County middle and high school students currently using ENDS exceeds that of cigarette use, which declined in previous years. According to the [2016 Youth Risk Behavior Survey](#) (YRBS), 36.5% high school students and 12.6% middle school students have used an ENDS product once; 16.6% of high school students and 2.1% middle school students reported using an ENDS product in the past 30 days. Comparatively, 8.6% of high school and 1.0% of middle school students reported using cigarettes in the past 30 days.

The new law takes important steps to reduce youth's access to addictive nicotine products and keep youth nicotine free. For more information about the Tobacco Merchant Compliance Initiative within the Frederick County Health Department, please visit <http://health.frederickcountymd.gov/TobaccoMerchants> or contact the Frederick County Health Department at 301-600-1755.

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