Electronic Cigarette Laws
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SUMMARY
This map identifies variation in U.S. federal and state laws addressing electronic cigarettes in effect from August 2016 - August 2017.

ABOUT ELECTRONIC CIGARETTE LAWS & THE DATA
Electronic cigarettes (or e-cigarettes), also known as vapor products, are devices that simulate smoking and deliver nicotine or other substances to users in the form of vapor. Since entering the United States market in 2004, sales of e-cigarettes have increased exponentially. Users often cite harm reduction as the reason for using e-cigarettes instead of traditional combustible cigarettes. However, many questions remain about the health risks associated with e-cigarette use, as well as their efficacy for smoking cessation.

Over the past decade, states have quickly enacted laws regulating e-cigarettes. Some states regulate e-cigarettes as tobacco products, while others have created new regulation schemes for e-cigarettes specifically. In 2016, the U.S. Food and Drug Administration also issued rules defining e-cigarettes as tobacco products under federal law.

This map shows U.S. federal and state laws regulating the required age for purchase, possession, and use of e-cigarettes, product definitions for e-cigarettes, nicotine ingredient requirements and whether states include e-cigarette use in their definition of “smoking.” The data also includes sale and use location restrictions, licensing requirements, as well as product packaging and online purchasing requirements.

As of August 1, 2017:

- Twelve states, the District of Columbia, and federal law include the use of e-cigarettes in the definition of “smoking.”
- Eighteen states and the District of Columbia require a license to sell e-cigarettes.
- Twelve states require the age of an online purchaser of e-cigarettes to be verified by a third party.
- Two states, California and Hawaii, have raised the age required to purchase e-cigarettes to 21 years old.
- Twenty-one states and federal law require e-cigarettes or their component parts to be sold in child-resistant packaging.

ESSENTIAL INFORMATION
August 2017
NAVIGATING THE DATA

There are two ways to navigate the data by clicking the Filter tab or the Explore tab — for each option, the data can be visualized in a map and table format or in jurisdiction profiles.

**Filter**
The dataset homepage will default to the Filter tab. Here, users may answer a series of questions to learn more about the characteristics of the laws. Answering more than one question will show all the jurisdictions that meet the combined criteria. Criteria selected will be listed above the questions, and can be removed by clicking the white X or by clicking “Reset” above the questions.

**Explore**
Users can access Explore by clicking the Explore tab in the bar above the questions. Using Explore, users will see the answers to one question across all jurisdictions.

The primary questions in this dataset are:

1. Does the state have a law regulating electronic cigarettes (e-cigarettes)?
2. How are e-cigarettes identified in the law?
3. Are e-cigarettes required to contain nicotine?
4. Are e-cigarettes required to be derived from tobacco?
5. Does the definition of “smoking” include the use of e-cigarettes?
6. What is the required age to purchase?
7. What is the required age to possess?
8. What is the required age to use e-cigarettes?
9. Is a license required to sell e-cigarettes?
10. Where is sale restricted?
11. Where is use restricted?
12. Where is use permitted?
13. What are the product packaging requirements for e-cigarettes?
14. What are the online purchasing requirements for e-cigarettes?

DISPLAYING THE RESULTS

There are two display modes once criteria have been selected by using either the Filter or Explore tab — Map display mode and Profiles display mode.

**Map Display**
LawAtlas.org dataset homepages default to the map display mode. When querying the data using the Filter tab, all jurisdictions that meet the criteria selected will display in one tone of yellow. Those jurisdictions that do not meet the criteria selected will be colored gray. When querying the data using the Explore tab, the map will illuminate with colors from yellow to red.
that are associated with the various answer choices (the color-coding is defined by the key to the left of the map).

Below the map, a table will appear. Using the Filter or Explore tab to navigate the questions will change the display:

- Using the Filter tab, you can select an unlimited number of criteria and the applicable jurisdictions that meet the combined criteria will be displayed in the table below.
- Using the Explore tab, you can isolate a single criterion and the applicable jurisdictions will appear in the table below.

Profiles Display
The Profiles display presents the results of the criteria selected in a text-based format for each applicable jurisdiction. Using the Filter tab, jurisdictions that meet the criteria selected will display. Using the Explore tab, jurisdictions that meet the criterion selected will display. If no criteria are selected, the full profiles for each state will appear under both Filter and Explore.

Profile Legend
Within each Profile box, above the questions and answers, there are additional options and information useful in exploring the law:

<table>
<thead>
<tr>
<th>§§</th>
<th>Toggle Legal Text – Selecting this option will show all the legal text used to answer questions for this jurisdiction.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Toggle Full Place Profile – Selecting this option will show all questions and answers for this jurisdiction, regardless of what was selected using the Filter or Explore tabs.</td>
</tr>
<tr>
<td></td>
<td>Toggle Size – Selecting this option will make the profile larger, but will not change the information displayed.</td>
</tr>
</tbody>
</table>

Legal Text History – This interactive timeline displays when changes in the law have occurred within a jurisdiction. Using the arrows to the left or right, users may explore how the law has changed over time as new amendments to the law have been enacted. The timeline will change from gray to a shade of yellow when the jurisdiction passed its first relevant law. Each change in the law after that is marked by a break in the timeline.

<table>
<thead>
<tr>
<th>2010</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/1/12</td>
<td>7/1/17</td>
</tr>
</tbody>
</table>

Map and Profile Legend
There are a few symbols to be aware of in both Map and Profiles display modes:
DATASET RESOURCES

Each dataset homepage includes the following resources available for download:

- Data: The Data file exports in CSV. format and may contain two tabs. The “Statistical Data” tab contains the legal variables coded in the dataset, displayed as values defined in the accompanying Codebook. The “Summary Data” tab contains the legal variables coded in the dataset in text form, as well as the accompanying citations and any caution notes that may be included. Note: if there is only one tab available for download it will be the “Statistical Data” as described above.

- Codebook: The Codebook defines all of the coded variables in the dataset. The Codebook lists the question, question type, variable name, variable value and variable label. The Codebook should be used in conjunction with the Statistical Data extract.

- Research Protocol: The Research Protocol is a comprehensive document that outlines the entire methodology of the project, including the scope, inclusion and exclusion criteria, data collection methods, definitions, coding scheme decisions, as well as the quality control process.

- Summary Report: The Summary Report provides a snapshot of important findings from the dataset.

ADDITIONAL INFORMATION


This collection of laws does not provide legal advice nor does it address enforcement of laws, administrative policies, case law, or any other sources of law. Should you have a specific question about these laws in your state, please contact an attorney in your jurisdiction.