

A Close to Home Submission by Montgomery County Councilmember Phil Andrews:

Public Health Requires Smoke-Free Restaurants like Montgomery's

It's remarkable that anyone can write a column criticizing Montgomery County's Smoke-free Restaurant Law without even mentioning the reason it was overwhelmingly adopted by the County Council -- the well-documented dangers of second-hand smoke including life-threatening asthma attacks, impaired heart function within 30 minutes, and increased risk of lung cancer ("Hold Your Fire on Smoking: Compromise is Possible", Margot Machol, Close to Home, May 2, 2004).

In considering what is necessary to protect the health of restaurant workers and patrons, the County Council specifically rejected the "air-filtration technologies" advocated by a few restaurant owners, and now by Ms. Machol. The Council heard expert testimony that the American Society of Heating, Refrigeration and Air Conditioning Engineers has concluded that "acceptable indoor air quality cannot be achieved in the presence of second-hand smoke." Filtration systems merely create the illusion of safety by reducing odor and visible smoke, making people feel more comfortable -- hardly an "enlightened" approach that any community should model.

The evidence is also against those who imply as Ms. Machol does that smoke-free restaurant laws are bad for business. Objective studies of the economic impact of such laws in California and New York City show restaurant industry growth since their implementation. Montgomery County has received more than 30 applications for new restaurant licenses since the law took effect last October, a rate of more than one a week. There's a huge market for non-smoking restaurants in the County since 90 percent of adults in Montgomery don't smoke.

The County's law, the first in the region, has proved influential. Rockville, Takoma Park, Gaithersburg, and Talbot County subsequently approved and implemented smoke-free restaurant laws. During the recently-concluded session of the Maryland General Assembly, a smoke-free restaurant bill came within one vote of passing in the Senate Finance Committee.

The question isn't whether the District of Columbia or Maryland should approve such a law, but which jurisdiction's officials will be the next to fulfill their duty to protect the public health.

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Phil Andrews (D-District 3 of Gaithersburg) was the lead sponsor of Montgomery County's Smoke-free Restaurant Law. He represents Derwood, Gaithersburg, Rockville, North Potomac, and Washington Grove on the County Council.