



AMERICANS *for* TAX REFORM

March 11, 2021

From: Americans for Tax Reform

To: Rhode Island House Municipal Government & Housing Committee

Dear Representative,

On behalf of Americans for Tax Reform (ATR), a non-profit organization which advocates in the interests of taxpayers and consumers throughout the United States, I urge you to **oppose H 5633**, misguided legislation which would authorize localities to enact severe regulations on lifesaving reduced harm tobacco alternatives like electronic cigarettes and vaping products.

Federalism, the principle of making government decisions at the local level, is a fixture of our American governmental system. While federalism is a strong method of governance in a vast majority of situations, the regulation of vaping products is a clear exception.

Retaining regulatory consistency and uniformity throughout the state in terms of tobacco and e-cigarette policy will **safeguard Rhode Island residents** from poorly thought-out local restrictions, or tax grabs to raise further revenue from vulnerable communities.

Local government officials, acting without the degree of scrutiny and accountability found at the state level, may impose punitive taxes on the most vulnerable in their communities without the rigorous processes undertaken at the state level. These actions could impose severe costs on both employers and consumers. Similarly, lacking the expertise in healthcare policy, such local restrictions and levies may act contrary to all available science and data, serving to **restrict the ability of smokers to quit smoking with the help of reduced risk tobacco alternatives.**

Even if imposed at a city or county level, these regulations would have the capability to **negatively impact the entire state.** For instance, increasing taxes would lead to an increase in smuggling and the sale of illicit tobacco, adversely affecting state tax collections while increasing criminal activity. Should a locality enact a ban on vapor products, as H 5633 would authorize them to do, the state of Rhode Island will not receive any tax revenue from the product.

It is important to note that, contrary to some arguments made by supporters of this bill, “local control” at its core is about safeguarding individual liberties and restricting the growth of government; **it must not be a free pass for cities to do whatever they want.**

Vaping has been proven to be 95% safer than traditional cigarettes and twice as effective at helping smokers quit than conventional nicotine replacement therapies. Legislation like H 5633 would decrease access to these lifesaving products and keep more people smoking – and dying from – cigarettes. **The evidence clearly demonstrates that if enacted, this bill would have a disastrous impact upon public health throughout the State, and lead to a significant increase in tobacco-related deaths.**

About E-Cigarettes and Vapor Products:

- Traditional combustible tobacco remains one of the leading preventable causes of death in Rhode Island. **The negative health effects of combustible tobacco come from the chemicals produced in the combustion process, not the nicotine.** While highly addictive, nicotine is a relatively benign substance like caffeine and nicotine use “does not result in clinically significant short- or long-term harms”.
- Nicotine replacement therapies such as nicotine patches and gums have helped smokers quit for decades. In recent years, advancements in technology have created a more effective alternative: **vapor products and e-cigarettes. These products deliver nicotine through water vapor,**

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mimicking the habitual nature of smoking while removing the deadly carcinogens that exist in traditional cigarettes.

Benefits of E-Cigarettes and Vapor Products:

- Vapor products have been [proven to be 95% safer](#) than combustible cigarettes and [twice as effective](#) at helping smokers quit than traditional nicotine replacement therapies.
- Vaping has been endorsed by over 30 of the world's leading [public health organizations](#) as safer than smoking and an effective way to help smokers quit.
- Just last week, a new [analysis](#) by Public Health England demonstrated just how effective vaping is in helping people quit smoking, noting that in just one year, over 50,000 British smokers, who would have continued smoking otherwise, quit smoking with vaping.
- **Studies have repeatedly shown that flavors, which H 5633 would authorize localities to ban, are critical to helping adult smokers make the switch to vaping.** Adults who use flavored vapor products are **43% more likely to quit smoking** than an adult who uses un-flavored products, according to a recent [study](#) from ten of the world's top experts in cancer prevention and public health.
- A University of Glasgow study showed that e-cigarettes particularly [help disadvantaged](#) persons quit smoking. **H 5633 will have a tremendously negative impact on public health and would increase socioeconomic disparities significantly.**
- Evidence demonstrates that **flavors play no role in youth uptake of vaping.** Academic studies have found that teenage non-smokers “willingness to try plain versus flavored varieties did not differ” and a mere 5% of vapers aged 14-23 reported it was flavors that drew them to e-cigarettes. National Youth Tobacco Survey results have shown [no increase in nicotine dependency](#) among youths since flavored products entered the market.
- **Vapor products would save over [26,000 lives](#) if a majority of Rhode Island smokers made the switch to vaping,** extrapolating from a large-scale analysis performed by leading cancer researchers and coordinated by Georgetown University Medical Centre.

H 5633 would abandon consumers and businesses across Rhode Island and ensure state tax collections are depressed by misguided local taxes and regulations. This bill would also allow for a patchwork of ordinances that would make Rhode Island a more expensive place to do business, all while also damaging public health.

For these reasons, we call upon the Committee to **accept the science and vote against H 5633.** Tens of thousands of your constituents lives quite literally depend on it.

Sincerely,

Tim Andrews
Director of Consumer Issue