New York City Council votes to ban e-cigarettes

By M. Alex Johnson, Staff Writer, NBC News

New Yorkers who've latched on to electronic cigarettes to get their nicotine fix at the local bar had their hopes snuffed out Thursday as the New York City Council overwhelmingly voted to add the smokeless smokes to the city's ban on smoking in public places.

Miguel Martin, president of Logic, the U.S.'s third-largest e-cigarette maker, says he's disappointed in the New York City Council's position.

Even though the electronic cigarettes don’t produce secondhand smoke, the council voted 43-8 to ban the use of e-cigarettes in restaurants, bars, city parks and any other places where smoking is already outlawed.

Mayor Michael Bloomberg — who’s advocated, not always successfully, for a number of public health initiatives, like bans on plastic foam containers and sodas larger than 16 ounces — is expected to sign the measure as one of his last actions in office, NBC New York reported.

If he does sign it, the ban would take effect in about four months.

Council President Christine Quinn said banning e-cigarettes would make it easier to enforce the city’s ban on real smoking. Because they’re designed to look like real cigarettes, it can be tough for law enforcement officers, business owners and club bouncers to tell who’s really smoking and who’s only “vaping.”

Scientists generally agree that e-cigarettes are less dangerous than real cigarettes, and researchers reported in September in the British medical journal The Lancet that they work about as well as nicotine patches in helping smokers quit.

They’re still highly addictive, however, and Quinn said OK’ing them could create new customers for tobacco products and undercut the message that smoking is something you should do only at home.

"We don’t want a step backward with that," she said.

But Miguel Martin, president of Logic Technology Development, the nation's third-largest e-cigarette manufacturer, argued that e-cigarettes weren’t a gateway to real tobacco.

"That’s a non-issue," Martin told CNBC on Thursday. "The data indicates that about 99 percent of the vast amount of users of electronic cigarettes are [already] smokers."

"We're disappointed in the City Council's position," he said.

Most major U.S. cities have already banned smoking in indoors public places, in step with decades of evidence that tobacco is the leading preventable cause of disease, disability and death in the U.S.

Only a few places — among them New Jersey, Arkansas, Utah and North Dakota, according to The Associated Press — have included e-cigarettes in their bans. But other major cities had been watching New York and were considering similar proposals, including Los Angeles and Chicago.

The City Council passed the measure in a flurry of activity during its final session of the year Thursday. It also endorsed Bloomberg’s call to phase in a ban on plastic foam food containers and passed a bill to set up a website to help people track how federal money is being spent on cleaning up after Superstorm Sandy.

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