

(H. B. 1974)

(No. 278)

(Approved December 22, 2006)

AN ACT

To adopt the “Act to Prohibit the Sale, Distribution and Use of Alcohol vaporizing Device in Public Places,” to provide a definition for alcohol vaporizing machines; to provide penalties.

STATEMENT OF MOTIVES

After years of work and studies related to the field of oxygen and its use in beauty salons and spas, a businessman from the United Kingdom came up with a novel idea: Why not create a device that would allow users to inhale alcohol without having to drink it? This device is known as an alcohol vaporizing machine, or Alcohol Without Liquid (AWOL) machine.

This invention is capable of converting alcohol (hard liquor) into vapor and distributing it in the form of oxygen, which is inhaled through a device that is similar to the inhaler used by asthmatic patients. This device is in use in many English pubs, and was recently been introduced in the United States, and is being promoted in several states.

This machine is promoted with the warning that the same effects of alcohol can be felt without the side effect of headaches, the so called hangover. The use of this device has already raised serious doubts in the health field, because researchers find that it can contribute toward increasing the problem of alcohol among the young, and that the use of alcohol through a vaporizing machine represents greater health risks.

In order to understand the effects that this may, have it is necessary to understand the manner in which alcohol inhalation affects the body.

Normally, when a person drinks a glass of wine or a shot of vodka, the alcohol is absorbed through the stomach (10% and the small intestine 85 to 90%). The presence of food may contribute toward delaying this process. In contrast, when the person consumes the same amount of alcohol through a vaporizing machine, alcohol enters directly into the lungs and is diffused into the bloodstream, causing a more severe and lasting state of inebriation.

The risks that this represents for our youth is that the alcohol vaporizing machine is promoted as promising all the pleasures of alcohol without the risks of side effects due to calories and the so called hangover. Promotion for this product on the Internet state, “Absolutely no side effects,” and, “If you hate hangovers, you’ll love this.” As you can see, this propaganda is very suggestive and specially designed to attract the young.

Alcohol use by means of a vaporizing machine is more damaging and harmful to health, since the alcohol is not processed by the person’s digestive system. Health experts also state that alcohol use by means of a vaporizing machine is more addictive than it is by means of drinking. Through this bill, we intend to exclude the use of alcohol vaporizing machines from our island, and to avoid having our youths fall victims to those who spare no efforts in their desire to obtain profits.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- This Act shall be known as the “Act to Prohibit the Sale, Distribution and Use of Alcohol Vaporizing Devices in public places.”

Section 2.- For purposes of this law, the term alcohol vaporizing device means any device, machine or process that mixes spirit drinks, liquor, alcohol, or any derivative thereof with oxygen or other gas with the intention of producing a vaporized product for human consumption by means of inhalation.

Section 3.- The use of alcohol vaporizing equipment by any person in a public place engage in the sale of alcoholic beverages is hereby prohibited. For the purposes of this Act, the owner of the business in which the use of alcohol vaporizing equipment is allowed and the person using the same shall be held responsible. A person who violates the provisions of this Act shall be guilty of a misdemeanor, and upon conviction shall be punished with a fixed term of six months of imprisonment, and a fine of five thousand (5,000) dollars.

Section 4.- This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 278 (H.B. 1974) of the 4th Session of the 15th Legislature of Puerto Rico:

AN ACT to adopt the “Act to Prohibit the Sale, Distribution and Use of Alcohol vaporizing Device in Public Places,” to provide a definition for alcohol vaporizing machines; to provide penalties,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 17th of September of 2007.

Francisco J. Domenech
Director