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DOT Bans E-Cigarettes From Checked Baggage

Charging the devices and/or batteries on board an aircraft also prohibited

WASHINGTON – In its continuing efforts to improve transportation safety, the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration today issued a final rule which prohibits passengers and crewmembers from carrying battery-powered portable electronic smoking devices (e.g., e-cigarettes, e-cigs, e-cigars, e-pipes, personal vaporizers, and electronic nicotine delivery systems) in checked baggage and prohibits passengers and crewmembers from charging the devices and/or batteries on board an aircraft.

“Fire hazards in flight are particularly dangerous, and a number of recent incidents have shown that e-cigarettes in checked bags can catch fire during transport,” said U.S. Transportation Secretary Anthony Foxx. “Banning e-cigarettes from checked bags is a prudent and important safety measure.”

The final rule follows the agency’s interim final rule (IFR) issued on October 30, 2015 and is consistent with a similar amendment in the 2015-2016 Edition of the International Civil Aviation Organization (ICAO) Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO Technical Instructions).

On January 22, 2015, the Federal Aviation Administration issued a Safety Alert for Operators, which recommended that air carriers require their passengers to carry e-cigarettes and related devices exclusively in the cabin of the aircraft. Also, on June 9, 2015, the ICAO published an addendum to the 2015-2016 ICAO Technical Instructions which prohibits the carriage of e-cigarettes in checked baggage and restricts the charging of these devices while on board the aircraft.

“This final rule is the next step in hazardous materials safety standards following our interim final rule issued last October,” said PHMSA Administrator Marie Therese Dominguez. “The rule addresses the risk of fire brought about by carrying these electronic devices in checked baggage or charging them on board aircraft.”

Passengers may continue to carry e-cigarettes for personal use in carry-on baggage or on their person, but may not use them on flights. The Department's regulatory ban on the smoking of tobacco products on passenger flights already included the use of electronic cigarettes. Nevertheless, to prevent passenger or crewmember confusion, the Department has amended its existing airline smoking rule to explicitly ban the use of e-cigarettes aboard aircraft.

The final rule does not prohibit a passenger from carrying other devices containing batteries for personal use (e.g., laptop computers, cell phones, cameras, etc.) in checked or carry-on baggage, nor does it restrict a passenger from transporting batteries for personal use in carry-on baggage.

An e-cigarette is a battery-powered device that simulates tobacco smoking by producing a heated vapor, which resembles smoke.

The final rule is effective 30 days after publication in the Federal Register. For a copy of the final rule, visit:

[http://www.phmsa.dot.gov/staticfiles/PHMSA/DownloadableFiles/Files/Final Rule as Sent to FR.pdf](http://www.phmsa.dot.gov/staticfiles/PHMSA/DownloadableFiles/Files/Final_Rule_as_Sent_to_FR.pdf).

For more information on FAA's Safety Alert for Operators, visit:

http://www.faa.gov/other_visit/aviation_industry/airline_operators/airline_safety/safo/all_safos/media/2015/SAFO15003.pdf.

The Pipeline and Hazardous Materials Safety Administration develops and enforces regulations for the safe, reliable, and environmentally sound operation of the nation's 2.6 million mile pipeline transportation system and the nearly one million daily shipments of hazardous materials by land, sea, and air. Please visit <http://phmsa.dot.gov> or https://twitter.com/PHMSA_DOT for more information.

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