

**OFFERED BY COUNCILORS RUTHZEE LOUIJEUNE , SHARON DURKAN,
BREADON, FITZGERALD, MEJIA, PEPEN, WEBER, AND WORRELL**



CITY OF BOSTON

IN THE YEAR TWO THOUSAND TWENTY FIVE

ORDER FOR A HEARING REGARDING NITROUS OXIDE ABUSE AND ITS IMPACT ON COMMUNITY HEALTH AND SAFETY.

WHEREAS, Nitrous oxide (N₂O), also known as “whippets”, “laughing gas”, or “chargers”, is a gas typically used for medical and culinary purposes but has increasingly been misused as a recreational inhalant for its psychoactive effects, especially among youth and young adults; *and*

WHEREAS, Recreational inhalation of nitrous oxide is associated with significant public health risks including, but not limited to, oxygen deprivation, nerve damage, neurological impairment, paranoia, hallucinations, and in rare cases, death; *and*

WHEREAS, Nitrous oxide is widely and cheaply available in smoke shops, convenience stores, gas stations, and online in packaging that is often recreational in appearance and sold with no restrictions on age or purpose; *and*

WHEREAS, The growing trend of nitrous oxide misuse has raised concerns from residents, health professionals, and law enforcement, who report discarded canisters and balloons previously filled with nitrous oxide in public parks, playgrounds, and sidewalks, creating both a public health and environmental nuisance; *and*

WHEREAS, The Commonwealth of Massachusetts prohibits the intentional inhalation of substances that release toxic vapors under M.G.L. Chapter 270, Section 18, and grants municipal boards of health the authority to regulate substances that pose a risk to public health under M.G.L. Chapter 111, Section 31; *and*

WHEREAS, Cities throughout the country, including in Massachusetts, have begun adopting regulations to restrict retail sales of nitrous oxide, limiting its sale to legitimate culinary and medical supply stores, instituting age verification requirements, and establishing fines and penalties for unauthorized sales; *and*

WHEREAS, Twelve states have already prohibited the possession and sale of nitrous oxide for recreational use and many cities across the country are increasingly acting to regulate or ban the non-commercial, recreational sale of nitrous oxide; *and*

WHEREAS, The Boston Public Health Commission (BPHC) holds jurisdiction over health-related regulations within the City and has previously led efforts to address

emerging substance-related harms through local public health authority and collaboration with City Council; *and*

WHEREAS, The City of Boston has a responsibility to protect its residents, particularly our youth, from preventable harm, and to ensure that harmful substances are not easily accessible in our communities; ***NOW, THEREFORE BE IT***

ORDERED: That the appropriate committee of the Boston City Council hold a public hearing to explore the feasibility of restricting or banning the retail sale of nitrous oxide for non-medical and non-commercial purposes in the City of Boston, and evaluate potential enforcement mechanisms, public health education efforts, and appropriate exemptions for legitimate commercial and medical uses; ***AND BE IT FURTHER***

ORDERED: That representatives from the Boston Public Health Commission, the Inspectional Services Department, the Boston Police Department, harm reduction and youth health advocacy organizations, public health experts, and residents impacted by nitrous oxide misuse be invited to testify at the hearing.