



ICAO

International Civil Aviation Organization
North American, Central American and Caribbean Office

WORKING PAPER

NACC/DCA/11 — WP/14
09/06/23

**Eleventh North American, Central American and Caribbean Directors of Civil Aviation Meeting
(NACC/DCA/11)**

Varadero, Cuba, 28-30 June 2023

Agenda Item 5: NAM/CAR Regional Aviation Security/Facilitation Implementation

**PROHIBIT THE TRANSPORTATION ON COMMERCIAL AIRCRAFT OF ELECTRONIC CIGARETTES
OR OTHER SMOKING DEVICES**

(Presented by Dominican Republic)

EXECUTIVE SUMMARY	
In this working paper, the Dominican Republic proposes that the transport by passengers and crew members of electronic cigarettes or other smoking devices that use batteries be prohibited or regulated in the passenger cabins of commercial aircraft, in addition to the existing prohibition of transporting these items in checked luggage, in view of the various events and incidents with electronic cigarettes in the aforementioned cabins, in which the safety of the aircraft and the lives of people have been endangered.	
Action:	Suggested actions are presented in section 2.
<i>Strategic Objective:</i>	<ul style="list-style-type: none">• Strategic Objective 3 – Security & Facilitation
<i>References:</i>	<ul style="list-style-type: none">• Annex 17, Aviation Security, Protection of Civil Aviation Against Acts of Unlawful Interference.• Annex 18 of the Convention on International Civil Aviation (Chicago 1944) and the technical instructions for the safe transport of dangerous goods by air (ICAO Doc 9284).• Aviation Security Manual (Doc 8973)

1. Introduction

1.1 By the 1980s, passengers and crew were allowed to light up cigarettes on airline flights. That all changed when pressure from the flight attendants union convinced US authorities to change the rules in the late 1980s. By 1990, cigarettes had been banned from most US flights, and within a few years smoking was fully banned on all airlines all over the world.

1.2 By the time e-cigarettes caught on, indoor smoking bans had also banished cigarettes from most airports (except some with smoking lounges), and people were used to not seeing or smelling smoke — or anything that looks like smoke — during air travel. But smokers still exist, and today so do vapers.

1.3 As a result of incidents reported by some states and airlines that involved heating elements from electronic cigarettes that were accidentally activated and caused fires in hold and cabin baggage, for the year 2015 the International Civil Aviation Organization (ICAO) issued a new regulation that prohibits passengers and aircraft crew members from carrying electronic cigarettes or other smoking devices that use batteries in their checked baggage. The amendment with this provision was included in the document that contains the Technical Instructions for the Safe Transportation of Dangerous Products by Air, which also prohibits the batteries of these devices from being recharged in the aircraft cabin.

1.4 Electronic cigarettes, vaporizers, vapor cigarettes, electronic nicotine delivery systems and spare batteries may only be carried in the aircraft cabin (in hand luggage or with you) and within these measures the device must be turned off and disconnected from the charging system and battery during all points of the trip.

1.5 Notwithstanding the measures established by ICAO and implemented by the States for the transport of these devices, the current measures do not cease to represent a high risk to the safety of aircraft and passengers during the flight. Although they are allowed in hand luggage, under the excuse that a possible fire in the warehouse would be more difficult to control, it does not cease to represent a risk with catastrophic consequences.

1.6 There are many incidents recorded in different parts of the world, including the Dominican Republic, that due to these electronic devices, which are allowed to passengers and crew members in the aircraft cabins, have caused these devices to heat up, causing fires inside. of these and in the sterile areas of airports or other incidents endangering the safety of passengers and aircraft. Such are the cases without the facts being limiting, indicated in the annex.

2. The meeting is invited to:

Support the content of the note and urge States and the Regional Office to motivate the development of the regulations before the corresponding organisms in order to achieve these prohibitions in a general way.

APPENDIX
Cases of incidents with electronic cigarettes in the passenger cabin
(Journalistic sources)

Date	Airline involved	Event
10/2/2022	Air France	<p>Flight AF9421, between Malaga and Paris, operated by an Airbus A320 with registration F-HEPJ, passed normally. When the plane was on final approach to runway 26L at Charles de Gaulle Airport, the passenger's electronic cigarette battery caught fire. There was a quick intervention by the cabin crew who used a special kit for cases like this, they prevented it from spreading and the plane was able to land safely at the airport. Only the passenger carrying the cigarette suffered serious burns.</p>
January 2019	American Airlines	<p>Flight 168 from Las Vegas to Chicago O'Hare International Airport, with 138 passengers on board. A passenger's electronic cigarette caused a small fire during a flight</p> <p>The device's battery overheated shortly after that. Flight attendants brought the fire under control immediately, he added. No one was hurt. The 138 passengers and six crew members disembarked through a gate.</p>
Feb 2019	Delta Airlines	<p>Flight from New York to Huston, in the United States, had to be evacuated when the overheating of the battery of an electronic cigarette caused a fire in one of the compartments of the aircraft. The Delta flight was scheduled to take off from La Guardia International Airport (NY) on Wednesday afternoon, but had to be evacuated when the fire broke out on board. Passengers said the flames came from one of the luggage compartments. According to the investigation, the cause of the deflagration was the explosion of a vape inside a suitcase.</p>
July 2018	Air China	<p>Air China plane, in flight CA106, which had a sudden descent of 6,500 meters in a few minutes.</p> <p>The co-pilot tried to smoke an electronic cigarette. In fact, he turned it on. But he realized that the smoke was going towards the passenger cabin, so he decided to stop the air circulation. However, he mistakenly cut off the plane's air conditioning. When the air stops circulating, the oxygen supply is reduced and the masks are automatically triggered and the plane begins a rapid descent to altitudes where the ambient pressure is more common.</p>

		<p>The pilots realized at that moment that they had mistakenly cut off the air conditioning, so once it was restarted, the plane stabilized and returned to normal altitude and the flight ended as planned.</p> <p>During the first steps of the investigation, the crew members did not report fairly to the investigators, but the truth soon emerged. Air China said it would not tolerate bad behavior by its crew members. Of course, also in China, regulations prohibit both passengers and crew members from smoking on board, including electronic cigarettes.</p>
Dec 2016	American Airlines	<p>An American Airlines flight from Dallas to Indianapolis made an emergency landing in Arkansas after a passenger's e-cigarette "went out of order" and started a small fire.</p> <p>No one of the 137 passengers and five crew members was injured. He added that the crew put out the flames immediately. The plane made an emergency landing Thursday afternoon at Little Rock's Clinton airport.</p>

INCIDENTS WITH ELECTRONIC CIGARETTES IN THE DOMINICAN REPUBLIC

Date	Airline involved	Event
Feb 2021	JetBlue	Flight 2237, from New York, USA, declared an individual as a disruptive passenger, because he was caught smoking an electronic cigarette (VAPE) in one of the bathrooms, activating the aircraft's fire alarms, according to report made by the manager of the aforementioned airline, at the time of arrival, the aforementioned was transferred to the Security Office, to later be presented to the Public Ministry.
Feb 2021	JetBlue	A passenger on Flight 2436 bound for the US, just before boarding his flight, an electronic device he was carrying in his handbag exploded, which was controlled by airport security agents. The passenger suffered no harm.
January 2023	Copa Airlines	Passenger of Flight 108, bound for Panama, while carrying out the departure migration process, the battery of an electronic cigarette that he was carrying inside a waist pack caught fire, it was disconnected from the cigarette, so at When said battery caught fire, it caused the package to start a fire, which was immediately controlled by airport security agents. The passenger suffered no harm.

Date	Airline involved	Event
January 2023	Air Transat	The flight no. 892 coming from Montreal, Canada, lit an electronic cigarette, the aforementioned passenger being drunk, immediately afterwards the crew called his attention, demanding that he turn off the vaper, he proceeded to do so, claiming that he did not know that he could not turn it on in the aircraft, for which the airline did not file any complaint.

Statistics of electronic cigarette (vaper) cases, detected in the different airport terminals of the Dominican Republic, which have had incidents in aeronautical operations, from the year 2021 to April 19, 2023.

Airport	Electronic cigarettes (vaper) that caught fire	Electronic cigarettes (vaper) with controlled substances	Electronic cigarettes (vaper) used on board aircraft	Total cases
MDSD	1	9	0	10
MDST	1	0	1	2
MDPP	0	1	1	2
TOTAL	2	10	2	14

Cases of electronic cigarettes (vaper), detected in the different airport terminals of the country, which have had incidents in aeronautical operations, from the year 2021 to April 19, 2023.

