



ORDINANCE AMENDING RMC SECTION 6.24.080 AND ADDING SECTION 9.04.225 TO PROHIBIT THE SALE AND DISTRIBUTION OF NITROUS OXIDE

Riverside Police Department

City Council
April 7, 2026

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1

BACKGROUND

- There is an increasing misuse of nitrous oxide for recreational purposes due to its intoxicating effects, affordability and accessibility posing a to public health and safety
- Nitrous oxide, commonly known as "laughing gas", "nos" or "whippets" is a colorless, odorless gas legitimately used in medical, dental, industrial and food production settings
- Short-term intoxicating effects include disorientation, nausea, blackouts, and impaired motor control posing a risk to both users and the public
- Long-term chronic misuse includes health risks such as vitamin B12 depletion, irreversible nerve damage, paralysis, cognitive impairment and even death



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2

NITROUS OXIDE (NOS)

- “Laughing gas”
- Anesthetic, medical/dental
- Propellant in whip cream; food service
- Automotive uses, race cars
- Abused for short term “high”
- Sold for **illegal** recreational intoxication purposes in smoke shops



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3

NITROUS OXIDE (NOS)



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4

BACKGROUND

- As of January 2026, there are 215 known locations selling tobacco products in the City including grocery stores, mini marts, smoke shops and gas stations
- 28 of those are classified as Smoke Shops per RMC which are defined as businesses with sales of tobacco constituting more than 30% of gross sales and/or 30% of net lease area
- Between March 2025 and January 2026, the Vice Unit found smoke shops displaying and illegally selling large quantities of NOS
- Smoke shops were observed selling both NOS and kratom products along with illegal sales of psilocybin mushrooms, cannabis/cannabinoid products, and narcotics/narcotics paraphernalia



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5

NOS COMMON DISPLAY



- Smoke shop in the City selling flavored NOS
- Balloons located on top shelf for illegal recreational intoxication
- NOS inside the canister is extremely cold when released. Breathing in NOS from the can causes severe frostbite and lung injuries. Balloons are used to warm the NOS gas and prevent injuries before ingesting.



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6

ILLEGAL USE OF NOS

Photograph taken by the Vice Unit in front of a smoke shop that sold NOS to the individual depicted. The individual was seen illegally inhaling NOS from the canister in violation of Penal Code 381.



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7

CURRENT STATE REGULATION OF NOS

- PC 381b – Illegal to possess, purchase or be under the influence of NOS with intent to inhale it for recreational, intoxicating purposes
- PC 381c – Illegal to furnish, distribute, or give away NOS to someone under 18 years old
- PC 381e – The seller is required to maintain detailed records of each transaction to include buyer name, address, DOB, Government ID, date, time, quantity and purpose of use. A mandatory consumer document warning informing purchasers about NOS dangers and legal restrictions is required to be issued

*RPD observed zero compliance with these regulations at smoke shops



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8

CURRENT STATE REGULATION OF NOS

- PC 381d – (a) Misdemeanor to provide NOS to a person the seller knows or should know intends to inhale for recreational intoxicating purposes and that person causes great bodily injury or death to themselves or another
 - (b) This section shall not preclude prosecution under any other law
- Smoke shops continue to violate these laws after warnings and enforcement actions



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9

NOS ABUSE IS A GROWING PROBLEM

- NOS is inexpensive and readily available
- Increase in NOS abuse in the region
- State law is not deterring abuse

RPD Arrests			
	2023	2024	2025
NOS Related Arrests (PC 381b)	2	22	26
DUI's NOS	1	7	4



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10

PROPOSED ORDINANCE

- Add Section 9.04.225 to Title 9 of the Riverside Municipal Code Prohibiting the Sale or Distribution of Nitrous Oxide except in the following cases:
 - Medical, dental, pharmacy
 - Wholesale capacity
 - Food, food preparation
 - Vehicle performance
- Amend Chapter 6.24 of the Riverside Municipal Code to prohibit Nitrous Oxide sales at tobacco retail establishments



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11

COMMITTEE RECOMMENDATIONS

February 18, 2026 - The Safety, Wellness, and Youth Committee, with all members present, considered the proposed ordinance amending Title 9 of the Riverside Municipal Code and unanimously moved to prohibit the unlawful sale or distribution of Nitrous Oxide in the City and forward the recommendation to the City Council for final consideration



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12

RECOMMENDATION

That the City Council introduce and subsequently adopt an ordinance amending Title 6 and Title 9 of the Riverside Municipal Code by amending Section 6.24.080 regarding other requirements and prohibitions and adding section 9.04.225 regarding the prohibition on sale or distribution of Nitrous Oxide in the City of Riverside.



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