

The Smoke-Free Arizona Act



Arizona Department of Health Services

SMOKE-FREE ARIZONA



The Smoke-Free Arizona Act

In November of 2006, the citizens of Arizona made their voices heard by passing the Smoke-Free Arizona Act, A.R.S. § 36-601.01, which prohibits smoking in most enclosed public places and places of employment. The Smoke-Free Arizona Act became effective May 1, 2007.

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What is the Smoke-Free Arizona Act?

Provides that people will not be subjected to secondhand smoke in most public places and places of employment.

- n Public places means an **enclosed** area to which the public is invited or in which the public is permitted
- n Places of employment means an **enclosed** area under the control of a public or private employer that employees normally frequent during the course of employment

The Law prohibits smoking inside and within 20 feet of entrances, open windows, or ventilation systems of an establishment.

Examples

n Public Places

- n Airports
- n Banks
- n Bars
- n Health care facilities
- n Public transportation
- n Restaurants
- n Retail stores
- n Sports facilities
- n Theatres

n Places of Employment

- n Office buildings
- n Work areas
- n Employee lounges
- n Restrooms
- n Conference and meeting rooms
- n Private offices
- n Vehicles

Arizona is Not Alone...

Currently, 25 states including Arizona, have already passed strong smoke-free air laws. Three states have passed smoke-free laws that will be effective in 2009.

(As of February 2008)

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Exemptions of the Smoke-Free Arizona Act

- n Private residences
- n Hotel and motel rooms
- n Retail tobacco stores
- n Veterans and fraternal clubs
- n Outdoor patios
- n American Indian Religious Ceremonies
- n Theatrical performance

Tribes are Sovereign Nations. The Smoke-Free Arizona Act has no application on Indian reservations.

For more information about the exemptions of the Law please visit smokefreearizona.org

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Why It's Important?

- n The main purpose of the Smoke-Free Arizona Act is to protect workers, customers, and the general public from the harmful effects of secondhand smoke in most enclosed public places and places of employment.
- n Why is it so important?
 - n 4,000 chemical compounds have been identified in secondhand smoke, 200 are poisons and at least 40 cause cancer ¹
 - n Exposure to the secondhand smoke of just one cigarette per day accelerates the progression of atherosclerosis (hardening of the arteries) ²
 - n Smoke-filled rooms have up to six times the air pollution as a busy highway ³
 - n Secondhand smoke is responsible for approximately 3,000 lung cancer deaths annually in U.S. non-smokers ⁴

¹American Lung Association, www.lungusa.org; ²American Heart Association, www.heart.org;

³Centers for Disease Control, It's Time to Stop Being a passive Victim, 1993; ⁴CDC Tobacco Use in the U.S., Retrieved Sept. 30, 2003, www.cdc.gov/tobacco/overview/tobus_us.htm.

Requirements for Businesses

- n There are a few simple things that employers and business owners can do to comply with the Law:
 - n Remove all indoor ashtrays and smoking receptacles
 - n Move all outdoor ashtrays and smoking receptacles at least 20 ft away from entrances
 - n Post the required no-smoking signs at every entrance
 - n Inform employees about the Law
 - n Prohibit anyone from smoking within 20 feet of all entrances and inside your place of business

Smoke-Free Arizona Sign Requirements

Universal No-Smoking Symbol **RED** or the words "No Smoking"



Thank you for not smoking.



To report a violation or file a complaint:

smokefreearizona.org

**1-877-4-AZNOSMOKE
1-877-429-6676**

Smoke-Free Arizona Act ARSS36-601.01



Smoke-Free Arizona Website

Smoke-Free Arizona Telephone Number

A.R.S. § 36-601.01

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Custom-made Signs

Business proprietors have the option of ordering signage free of charge **OR** creating their own "no smoking" signs as long as they have all the required information.



- * Example of an acceptable custom-made sign

Now Available!

NO SMOKING INSIDE AND WITHIN 20 FEET OF THIS ENTRANCE. ARS§36-601.01

The purpose of the 20 foot sticker is to remind customers, visitors and employees that smoking is prohibited within 20 feet of the entrance. Keep in mind that this add-on is not required by the Law and it does not replace the current Smoke-Free Arizona signs.

NO SMOKING INSIDE AND WITHIN 20 FEET OF THIS ENTRANCE. ARS§36-601.01



Thank you for not smoking.

To report a violation or file a complaint:
smokefreearizona.org
1-877-4-AZNO-SMOKE
1-877-429-5676

Smoke-Free Arizona Act ARS§36-601.01



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Outdoor Patios

- n Smoking is allowed on outdoor patios. Business owners with food and/or liquor licenses should consider contacting the county health department, the Department of Liquor Licenses and Control, the local building department, and any other applicable authorities before modifying or building a new outdoor smoking patio. Other business owners should also consider contacting any applicable authorities.

Outdoor Patios and the 20 Foot Rule

- n If an outdoor patio is less than 20 feet from any entrance of an establishment, a proprietor may permit smoking on the outdoor patio only if the proprietor uses a method that:
 - n Provides a smoke-free entrance into the establishment
 - n Does not permit tobacco smoke to drift into the establishment through entrances, open windows, ventilation systems, or other means

For more information regarding outdoor patios, please visit our website at smokefreearizona.org, call 1-877-AZ STOPS, or contact your county health department.

Education is the Key

- n ADHS and the county health departments are responsible to implement the Smoke-Free Arizona Act by helping businesses (including bars and restaurants) to comply with the Law and by educating the general public about the benefits of the Law
- n The Smoke-Free Arizona toll-free information line is available 24 hours a day to answer inquiries from the public and businesses
- n Educational presentations and on-site visits are often performed by request to help businesses comply with the Law

ADHS Accepting Complaints

- n Citizens of Arizona can file complaints anonymously in the following way:
 - n Call the Smoke-Free Arizona Program at 1-877-429-6676
 - n File a complaint online at www.smokefreearizona.com
 - n Email the Smoke-Free Arizona Program at smokefreearizona@azdhs.gov

What Happens to My Complaint?

- n All complaints are received by ADHS and are referred to the appropriate county health department for education, compliance, and enforcement
- n County health departments are in charge of investigating complaints about violations of the Smoke-Free Arizona Act. The county health departments have 15 days after receipt of the complaint to conduct an inspection or perform education activities .

Complaints, Violations, and Penalties

- n If a violation is found, the business owner is subject to fines between \$100 to \$500 per violation per day or up to \$5,000 per violation per day if a Superior Court determines there is a pattern of noncompliance.
- n An individual who smokes where prohibited is guilty of a petty offense and may be fined between \$50 to \$300

Contact Information

- n For more information, please call us at :
1-877- **AZSTOPS** (1-877-297-8677)

Email us at :

smokefreearizona@azdhs.gov

- n To file a complaint, please call:
1-877-4 **AZNOSMOKE** (1-877-429-6676)

Email us at:

nosmokingarizona@azdhs.gov

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