

Smoking Ban in State Offices and Vehicles

In accordance with Executive Order (EO) 41 Banning Smoking in State Offices and Vehicles, with the exception of correctional facilities and mental health facilities delineated in EO 41, following are the guidelines for smoking in facilities occupied or operated by executive branch agencies and institutions effective January 1, 2007 (amended July 22, 2008). EO 41 authorizes agency heads and heads of state institutions, including institutions of higher education, to set additional, appropriate guidelines for smoking outside on state-owned property, including appropriate signage.

Having consulted with the Commissioner of Health, with the exception of those facilities delineated in EO 41, the following guidance shall be used by agency heads and heads of state institutions, including institutions of higher education, to establish non-smoking guidelines for those properties included within EO 41:

- Smoking is banned in all state facilities occupied or operated by executive branch agencies and institutions, including institutions of higher education.
- These smoking guidelines apply to all persons in state facilities occupied or operated by executive branch agencies and institutions, including institutions of higher education.
- Smoking is banned inside all state facilities including parking garages, covered walkways, temporary enclosed structures, trailers, and tents as well as structures placed on state-owned property by contractors or vendors.

The owner and/or property manager of each affected facility shall post no-smoking signs in each facility and at parking garage entrances, vestibules and lobbies, loading docks and similar entryways where persons enter and exit a facility.

Smoking is permitted outdoors on state property grounds, plazas, sidewalks, malls and similar open pedestrian-ways provided smokers are 25 feet or more in distance away from an entrance or exit of any facility, including parking garages. Health care facilities may prohibit smoking outdoors beyond the 25-foot limit.

Smoking outdoors shall be in accordance with published guidelines established by the agency head or head of state institution, including institutions of higher education, of the facility or agency within the facility. Such guidelines shall include at a minimum that:

- The owner and/or property manager of each affected facility shall provide an ash urn at outside locations (25 feet or more from entry/exit ways) to aid smokers in disposing of smoking materials.
- Smokers shall use ash urns to dispose of their smoking material waste and shall not litter state-owned property with smoking material waste.
- Smoking is banned inside all state-owned vehicles and rental vehicles obtained from the Department of General Services' rental car contract.

Employee violations of EO 41 or smoking restrictions imposed pursuant thereto shall be addressed by their agency in accordance with the Department of Human Resource Management Policy 1.60, Standards of Conduct and the violation shall be considered in the employee performance evaluation.