



WASHINGTON STATE CLEAN INDOOR AIR ACT

The Washington State Clean Indoor Air Act- RCW 70.160, prohibits smoking in all indoor public spaces and places of employment throughout Washington state.

COMMUNITY FACT SHEET

What is the Clean Indoor Air Act?

On November 8th, 2005, the citizens of Washington approved Initiative 901 (I-901), which expanded the Clean Indoor Air Act and made Washington the 10th state in the nation to have a comprehensive smoke-free workplace act. The initiative had widespread support, with **all 39 counties in Washington** voting in favor of the law.

The initiative prohibits smoking in all restaurants and bars by amending the state's 1985 Clean Indoor Air Act. The definition of "public place" includes bars, restaurants, bowling centers, skating rinks, and non-tribal casinos. The definition also includes private residences used to provide childcare, foster care, adult care, or similar social services, and at least 75 percent of the sleeping quarters within a hotel.

The Smoking in Public Places law also prohibits smoking within 25 feet of entrances, exits, windows that open, and ventilation intakes that serve enclosed areas where smoking is prohibited.

What does the law require employers?

If you operate a public place or place of employment, smoking is not allowed at your establishment. If you see customers, staff, or visitors smoking, you or your staff must tell them not to smoke indoors. Smoking outside your establishment is prohibited within 25 feet of entrances and exits, windows that open, and ventilation intakes.

What types of places are covered under the law?

All indoor public spaces and workplaces, including restaurants, bars, skating rinks, bowling alleys and non-tribal casinos, are required to be smoke-free.

Does the law apply to private clubs? The law applies to private clubs that have employees, volunteers or that allow guests. These businesses are required to be smoke-free.

What about the 25-Foot Rule?

Smoking is prohibited within 25 feet from entrances, exits, windows that open, and ventilation intakes. The responsibility of a business owner extends to areas of service under his or her control. Sidewalks, parking lots, and public streets are not areas of service for most businesses and therefore not included in the areas of business owner responsibility. Individuals violating the law are under the jurisdiction of local law enforcement. Businesses must make customers aware of the 25-Foot Rule and that non-compliance with the law could result in a ticket from local law enforcement.

Is smoking allowed in outside seating areas?

Smoking is not permitted in outside seating areas where employees are required to service or pass through. Areas that are not serviced by an employee and are 25 feet from all entrances, exits, opening windows and ventilation intakes may permit smoking.

Do business owners need to post signs?

Yes. A "No Smoking" sign must be conspicuously posted at each entrance as well as in prominent locations in your establishment. You can download printable signs at: www.smokefreewashington.com

You may also pick up free signage at the Whatcom County Health Department or purchase no-smoking signs from any retail store. The law does not require a specific "No Smoking" sign.

How do I deal with people who want to smoke?

Develop a policy that clearly outlines how your business will enforce both your new smoke-free policy and the 25-Foot Rule to protect indoor air quality. If a patron is attempting to smoke indoors, you or your staff must remind them of the law and explain that they must step outside and away from openings that allow smoke to transfer indoors. If necessary use the establishment's protocol for removing unruly customers from your premises.

How will the act be enforced?

Compliance with the Clean Indoor Air Act is the responsibility of the owner, manager, operator, or another person in charge of an area open to the public or place of employment. Local health jurisdictions will enforce the Clean Indoor Air Act for businesses, including bars and restaurants, and local law enforcement agencies will maintain responsibility for individuals violating the law. Additional enforcement will be achieved by a social compliance system. This means employees and the public may confidentially report violations of the law to their local health departments.

What are the penalties for individuals and businesses?

A civil fine of up to \$100 can be imposed on those individuals who violate the law. Businesses will receive an initial warning serving as a notice for correction but then can be fined up to \$100 per day as long as the infraction continues.

How will this affect business?

Studies of cities and states with smoke-free workplace laws that include bars and restaurants provide strong evidence that the law will have a neutral or even a positive impact on businesses. Additional studies show profits increase with the increased productivity of their employees and a decrease in maintenance costs.

How can I support my employees and patrons if they want to quit smoking?

If you smoke and want to quit, or to support your employees or patrons who want to quit, call the Washington State Tobacco Quit Line at 1-800-7848669 for support from a trained specialist, or visit www.quitline.com for more information.

What is secondhand smoke?

Secondhand smoke is the combination of smoke exhaled by a smoker and the smoke from a burning cigarette. This combination is dangerous for both smokers and nonsmokers. According to the Centers for Disease Control and Prevention, secondhand smoke contains more than 4,000 chemicals, including 50 known cancer-causing substances. Secondhand smoke kills 38,000 nonsmokers each year in the United States. People exposed to secondhand smoke greatly increase their risk of developing lung cancer, heart disease, asthma, bronchitis, ear infections, pneumonia, croup, and sore throats.

Why do we need to eliminate secondhand smoke in the workplace and public places?

Eliminating secondhand smoke will improve the health of employees and customers, reduce health care costs, and save businesses money by reducing cleaning and maintenance costs.

Why do we need to eliminate secondhand smoke in restaurants and bars?

All workers deserve to be protected from the harmful effects of secondhand smoke. Waitresses have higher rates of lung and heart disease than any other traditionally female occupational group, according to a study published by the *Journal of the American Medical Association*. The same study reports that one work shift in a smoky bar is equivalent to smoking 16 cigarettes a day. Two hours in a smoky bar is the same as smoking four cigarettes, according to the University of California Berkeley School of Public Health.

**For more information contact the
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Department

**Please note that this summary is not intended to be comprehensive or to provide an authoritative legal interpretation. For more information please refer to the actual text of the law. To download a copy of the law visit the Whatcom County Health Department's website at: www.whatcomcounty.us/health*