

Key Elements of the Utah Indoor Clean Air Act (UICAA)



Smoking is prohibited in all enclosed indoor places of public access.



Smoking is always prohibited within 25 feet of any entranceway, exit, open window, or air intake of a building where smoking is prohibited.



The use of electronic cigarettes (vaping) is banned in the same places as cigarettes.



Compliance Items to Consider

- Smoking and vaping are prohibited in all enclosed indoor places of public access and publicly owned buildings and offices. A place of public access is any enclosed indoor place of business, commerce, banking, financial service, or other service-related activity, whether publicly or privately owned, to which persons not employed at the place have general and regular access or which the public uses and includes buildings, offices, shops, elevators, cafeterias, shopping malls, restrooms, restaurants, arenas, and theaters. See Utah Code 26-38-2(3).
- In designated outdoor areas where smoking or vaping is permitted, employers are required to establish a policy prohibiting smoking and vaping within 25 feet of any entranceway, exit, open window, or air intake of a building. See Utah Admin. Rule R392-510-9.
- It is the responsibility of the establishment to enforce the Utah Indoor Clean Air Act. Building owners, agents, or operators are independently responsible to ensure compliance and each may be held liable for noncompliance.

For more information about the Utah Indoor Clean Air Act, you can visit utahtobaccolaws.org/indoor-clean-air/

Southwest Utah Public Health Department Environmental Health Contacts:

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St. George, UT
84770

Iron & Beaver Counties

(435) 865-5180
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Sargent Dr.
Cedar City, UT
84721

Kane & Garfield Counties

(435) 644-2537
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Kanab, UT
84741

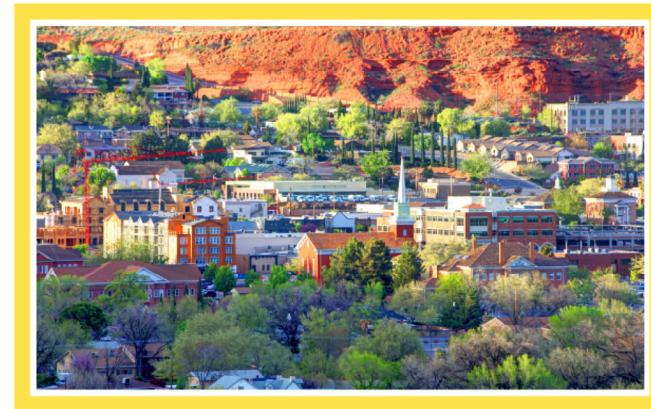
On the Web

swuhealth.org/environmental-health



Utah Indoor Clean Air Act Business Compliance Guide

Environmental Health Division



*Information on this brochure provided by the Utah Department of Health and Human Services Tobacco-free workplace policy toolkit.

Signage Requirements

- Entryways have clearly visible signs using the words "No smoking is permitted in this establishment," or a similar statement, plus the international no-smoking symbol.

See Utah Admin. Rule R392-510-12(1).

- The words "No Smoking" must be no less than 1.5 inches in height.

See Utah Admin. Rule R392-510-12.

- International no-smoking symbols used alone are 4 inches in diameter or greater.

See Utah Admin. Rule R392-510-12(6).



- Ashtrays provided within the 25-foot buffer zone have signage indicating they are for the extinguishing of tobacco products only and the area around it is not a smoking area. The sign shall include a reference to the 25 foot prohibition. See Utah Admin. Rule R392-510-9(2).

Utah Indoor Clean Air Act signs are available by calling the Utah Department of Health and Human Services at (801) 538-6754, or by contacting your local health department.

Enforcement Requirements

- The building owner, agent, and operator are each responsible for compliance. See Utah Admin. Rule R392-510-3.
- All indoor places of employment are smoke-free, including company vehicles.

See Utah Admin. Rule R392-510-5 and definition for workplace found in R392-510-2.



- Smoking is not permitted within 25 feet of any entranceway, exit, open window, or air intake of a building where smoking is prohibited.
- Smoking may be permitted in vehicles that are workplaces when not occupied by nonsmokers.

See Utah Admin. Rule R392-510-9(1).

See Utah Admin. Rule R392-510-6(1) and definition for workplace found in R392-510-2.

- An employer may not discriminate or take adverse action against an employee or applicant because that person has sought enforcement of provisions of the law and/or the smoking policy of the workplace, and/or otherwise protested the smoking of others. See Utah Admin. Rule R392-510-13.

Penalties for Violations

- Businesses, agencies, organizations, or individuals who do not abide by the requirements of the Utah Indoor Clean Air Act may be subject to civil monetary penalties as well as revocation or nonrenewal of permits, licenses, or certificates.

- **First violation: up to \$100.**
- **Subsequent violations: \$100 to \$500.**

- In addition to Utah Indoor Clean Air Act civil penalties, failure to address secondhand smoke in the workplace exposes your business to legal vulnerabilities, e.g., workers' compensation, unemployment compensation, disability benefits, nuisance lawsuits, etc.

First violation is:

\$100 

Subsequent violations:

\$100 - \$500

