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Missouri Tobacco Use Prevention Program

www.dhss.mo.gov/SmokingAndTobacco

or contact us at:

Missouri Department of Health & Senior Services

Health Promotion Unit

P.O. Box 570

Jefferson City, MO 65102-0570

1-866-726-9926 (toll-free)



The American Cancer Society (1-800-ACS-2345)

www.cancer.org

(then enter search for secondhand smoke)

The American Heart Association, Heartland Affiliate (1-800-323-7883)

www.americanheart.org

(then enter search for secondhand smoke)

The American Lung Association (1-800-LUNG-USA)

www.lungusa.org

(then enter search for secondhand smoke)

This publication is supported by Cooperative Agreement Number U1A/CCU716957-04 from the Centers for Disease Control and Prevention (CDC). Its contents are solely the responsibility of the authors and do not necessarily represent the official views of CDC.

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Missouri's Clean Indoor Air Law

*“Is it safe
in there?”*

Secondhand smoke is classified as a Group A Carcinogen by the U.S. Environmental Protection Agency (EPA), meaning it is a known cause of cancer. Secondhand smoke is the third leading cause of preventable death in the U.S. Every year an estimated 1,200 Missourians die from illnesses caused by secondhand smoke. There are more than 4,000 chemicals in secondhand smoke, more than 200 of which are known poisons. Some of these chemicals include arsenic, carbon monoxide, DDT, formaldehyde, and lead.

Secondhand smoke causes many other diseases, including asthma, bronchitis, pneumonia, middle ear infection, chronic respiratory symptoms, low birth weight, and sudden infant death syndrome.

The Missouri Clean Indoor Air Law, Sections 191.765 - 191.777 RSMo (2002), took effect on August 28, 1992.

Public Places

The law states that a person shall not smoke in a public place or a public meeting except in a designated smoking area.

The following are examples of public places that must adhere to the law:

- any enclosed indoor workplace (public and private)
- ◆ any enclosed indoor place used for commerce, entertainment or recreation (arenas, concert halls, shopping malls, theaters, etc.)
- retail and commercial establishments
- ◆ health care facilities
- educational facilities
- ◆ child care facilities
- public restrooms
- ◆ buses, taxicabs, and other public transportation
- bus stations and airport terminals
- ◆ most restaurants (see “exemptions” section)

Exemptions

The law exempts some businesses, including:

- ◆ tobacco stores where more than 50 percent of sales is related to sale of tobacco products
- enclosed indoor arenas or stadiums with seating capacities of more than 15,000 people

- ◆ bars and taverns
- bowling alleys
- ◆ billiard parlors
- restaurants

} Only *when* fewer than 50 seats and *with* easily seen signs stating “Non-Smoking Areas Are Unavailable.”

Local Ordinances

This brochure addresses only the state Clean Indoor Air Law. Municipalities and counties may have laws and ordinances with more stringent provisions. Local governmental agencies should be contacted to determine if there are local clean indoor air ordinances.

Designated Smoking Areas

If not otherwise in violation of a local ordinance, smoking may be allowed if a business, agency or meeting falls under the definition of public meeting only if the following conditions are met.

- ◆ No more than 30% of the total space may be designated as a smoking area.
- If a designated smoking area is established, seating arrangements, available ventilation systems, and physical barriers can be used to isolate designated smoking areas.
- ◆ The proprietor must prominently post appropriate no-smoking or smoking signs.
- Restaurant owners shall provide “an area of sufficient size to accommodate usual and customary demand for non-smoking areas by customers,” but this shall not be cause to exceed the 30% space limitation for a smoking area.

Note

Smoking areas are not required!

Violations and Penalties

Those who smoke in a nonsmoking area and any proprietor or other person in charge who permits smoking in a nonsmoking area are in violation of the law.

- ◆ The maximum fine is \$200 for an individual and \$500 for a corporation.
- Complaints against violators can be made to local law enforcement agencies.