



STATE OF MARYLAND

DHMH PRESS RELEASE

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FOR IMMEDIATE RELEASE

Tool Kits on Web to Help Businesses Go Smoke-free *DHMH Offers Resources for Business, Public*

BALTIMORE, MD (January 22, 2008) – As the state moves toward the February 1 implementation of Clean Air Maryland, the Department of Health and Mental Hygiene (DHMH) has a tool kit on its Web site and a Help Line to help business owners prepare their establishments to go smoke-free.

Copies of the ‘no smoking signs’ that must be posted in bars and restaurants, along with fact sheets to help business owners understand the regulations that guide the law are available at www.mdcleanair.org. Information on how business owners may apply for a waiver to the law, the waiver application, and other pertinent materials are posted to the site. The Department will also mail the toolkits to almost 6,000 bars, restaurants, and other establishments impacted by the law.

“As implementation moves forward, we are focusing on education and training for all of those affected,” said DHMH Secretary John M. Colmers. “The law and the regulations help with this. The first violation carries no financial penalty but instead calls for a letter that indicates what needs to be done to come into compliance.”

DHMH modeled its regulations after those in New York City and Washington, D.C., in order to make it simple for businesses to comply. Experience in those cities has shown that most businesses are able to comply with little or no difficulty, and that their patrons are very supportive.

“In Maryland, businesses basically have two responsibilities under the new law,” said Dr. Clifford Mitchell, director of Environmental Health Coordination at DHMH. “They must prohibit smoking in indoor areas open to the public, and post signs so that people know what is expected of them. The law and the regulations are designed to help people and businesses make the transition to a non-smoking environment.”

The Web site also provides information to help the public know how they can help with this transition, and what they need to do to report any possible violations of the law. Earlier this month, the department launched a Help Line (1-866-703-3266), for businesses and the public to get more information.

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“People must help the businesses comply with the law by refraining from smoking in these establishments, and they should report violations to their local health department,” Dr. Mitchell said.

Background

The Clean Indoor Air Act was signed into law by Governor Martin O’Malley on May 17, 2007. It prohibits smoking in indoor areas open to the public, protecting the public and workers from the hazards of environmental tobacco smoke. Much of the new law is enforced by health departments; workplaces are also covered by the Department of Labor, Licensing, and Regulation.

The regulations implementing the Clean Indoor Air Act were published as a proposal in the October 12, 2007 *Maryland Register*, and in final form in the December 21, 2007 *Maryland Register*. The regulations address the following areas:

- ✓ Definitions;
- ✓ Covered and exempted establishments;
- ✓ Owner requirements;
- ✓ Complaints, investigations, enforcement and penalties; and
- ✓ Waivers.

Businesses and clubs with liquor licenses or permits are required to prohibit smoking in indoor areas. Many are also required to post signs indicating that smoking is prohibited. Local health departments will enforce the regulations and respond to complaints. If businesses are found to be in violation of the law or regulations, they will initially be issued a letter of reprimand, with fines increasing up to \$1,000 per violation.

Maryland counties that have similar legislation include Charles, Howard, Montgomery, Prince George’s and Talbot. Baltimore City has a law that also goes into effect on February 1.

Establishments located in jurisdictions other than the five counties listed above can apply to their local health department for a waiver from certain provisions of the new law.

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