



# SMOKEFREE AIR ACT

## *Places Where Smoking Not Regulated*

### *Overview*

The Smokefree Air Act specifies places where smoking is not regulated.

- **Private residences** (unless used as a child care home or facility, or a health care provider location)
- **Up to 20% of hotel/motel Rooms** (Smoking rooms on the same floor need to be contiguous. Smoke from these rooms cannot infiltrate into areas where smoking is prohibited. Additional smoking rooms cannot be added after July 1<sup>st</sup>.)
- **Retail tobacco stores** (Smoke from these stores cannot infiltrate into areas where smoking is prohibited; Gross revenue derived from the sale of tobacco products needs to be at least 80% of total gross revenue.)
- **Private & semi-private rooms in long term care facilities** (Individuals must request in writing to be placed in smoking rooms. Smoke from these rooms cannot infiltrate into areas where smoking is prohibited. Existing State or Federal regulations that may apply to smoking in long-term care facilities are not affected by the Act.)
- **Private clubs** (See “Private Clubs” fact sheet.)
- **Outdoor areas that are places of employment** (Exemption does not apply to: seating areas of entertainment venues; seating or serving areas of restaurants; public transit shelters; all school/educational facility property; grounds of city, county & state government buildings.)
- **Limousines under private hire**
- **Sole use vehicles that are provided by an employer** (Vehicles owned, leased or provided by the employer must be for the sole use of that driver and not used by more than one person in the course of employment either as a driver or passenger.)
- **Privately-owned vehicles not otherwise defined as a place of employment or public place**
- **Cabs of motor trucks or truck tractors if no nonsmoking employees are present**
- **During a smoking cessation program\***
- **Farm tractors, farm trucks & implements of husbandry**
- **Gaming floor of gambling boats, gambling structures & racetrack enclosures**
- **The Iowa Veterans Home**
- **Iowa State & County Fairgrounds**
- **Institutions administered by the Department of Corrections**
- **Iowa National Guard facilities**

\* A smoking cessation program is defined as a course of treatment that is capable of clinical review for evidence-based outcomes that individuals in the program stop smoking and that has been approved for coverage by a private or managed health care plan, Medicaid, Medicare, the Veterans Health Administration, or the United States Military. Smoking needs to be an integral part of the program.

**NOTE:** The information provided in this document is not intended to be legal advice. Please consult state statutes or contact an attorney for additional information about the Smokefree Air Act (2008 Iowa Acts, HF2212).