

*Implementing the 2019 changes to  
the Dee Johnson Clean Indoor Air Act*



The US Surgeon General has  
stated that e-cigarette aerosol  
**is not harmless.**

Learn more at [SmokeFreeNM.com](http://SmokeFreeNM.com).

New Mexico Allied Council on Tobacco  
c/o Chronic Disease Prevention Council of New Mexico  
PO Box 3511 Albuquerque, NM 87109

[SmokeFreeNM@ChronicDiseaseNM.com](mailto:SmokeFreeNM@ChronicDiseaseNM.com)

1.877.650.4611

A guide for  
**Business Owners  
and Managers**



## Starting June 14, 2019

e-cigarette use is prohibited wherever smoking is prohibited, such as indoor public places and workplaces, including stores, offices, bars, restaurants and other workplaces.

### The law also includes these stipulations:

-  No smoking or vaping is allowed within a reasonable distance of all entrances of a business
-  Building entrances must be smoke-free and vape-free so that persons do not have to walk through smoke or and e-cigarette aerosol to gain entrance to the building
-  Outdoor smoking areas should be away from windows, doors and ventilation intakes to prevent smoke and e-cigarette aerosol from entering the building

## How will these changes help New Mexicans?

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The changes in the Act will protect workers and the public from secondhand e-cigarette aerosol in indoor workplaces and public places.

The majority of e-cigarettes contain nicotine, the same addictive drug that is in regular cigarettes, cigars, hookah, and other tobacco products.

### E-cigarette aerosol also contains:

- ultrafine particles that can be inhaled deep into the lungs
- volatile organic compounds
- heavy metals, such as nickel, tin, and lead.

In addition to protecting workers and the public from potential health dangers, prohibiting e-cigarette use in public places is a recommended strategy to decrease e-cigarettes use among youth.

The law will also expand protections in additional locations not previously covered by the Act, such as hotel ballrooms and conference rooms, hired limousines, and more



## What are businesses required to do?

# 1

Post signs.

Signs can be downloaded or requested at [SmokeFreeNM.com](http://SmokeFreeNM.com).

# 2

Inform employees and customers who are smoking or vaping that smoking and vaping are not permitted indoors

## How is the Act enforced?

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Business owners and managers of any business covered by the Act must make a reasonable effort to prevent smoking and vaping. Employers, employees and the public may report violations of the Act to local fire, police and sheriff's departments. Enforcement information can be found at [SmokeFreeNM.com](http://SmokeFreeNM.com).

Fines for violations are as follows: up to \$100 for the first violation, up to \$200 for the second violation and up to \$500 for the third and subsequent violations within a 12-month period. Business owners and managers are not subject to a penalty as long as they comply with the requirements of the law, including posting signs and informing employees and customers that smoking and vaping are not permitted indoors.