Subject: Tobacco Use		Policy Number: ADM: 09
Revision Number: 06	Effective Date: 11/17/2025	Original Issue Date: 04/07/1998

1) PURPOSE

a) It is the purpose of this policy to establish stringent restrictions on tobacco use in the workplace or while on duty and to comply with the Dee Johnson Clean Indoor Air Act.

2) POLICY

a) It is the policy of the Department of Public Safety to promote healthy working environments for its employees, free from the health hazards of tobacco smoke and smokeless tobacco waste.

3) APPLICABILITY

a) This policy applies to all employees, contractors, and customers of DPS.

4) REFERENCES

a) § 24-16-1, Dee Johnson Clean Indoor Air Act

5) DEFINITIONS

a) **Designated Smoking Area** – An outdoors area where smoking may be permitted that is at least 25 feet away from any entrance, window, or ventilation system of any DPS building. The designation must be a location that prevents secondhand smoke from entering any DPS building and prevents persons from having to walk through the designated smoking area to enter/exit any DPS building.

b) **DPS Building** – Any building owned, leased, or operated by the Department of Public Safety, which includes the law enforcement academy, remote district offices, ports of entry, etc.

c) **Electronic Smoking Device** – An electronic oral device, either battery powered or powered by an electronic circuit, which uses a heating element to vaporize a liquid solution for inhalation.

d) **Passive Smoking** – The involuntary inhalation, by non-smokers, of tobacco smoke generated by smokers.

e) **Smoke or Smoking** – Refers to the carrying or holding of a lighted cigarette, pipe, cigar of any kind, or electronic smoking device, or any other lighted smoking equipment, or the lighting, emitting or exhaling of the smoke of a cigarette, pipe, cigar or electronic smoking device of any kind.

f) **Smokeless Tobacco** – Any nicotine delivery system, employing tobacco products within the mouth that is used without smoking, e.g., chewing tobacco, snuff, etc.

6) OPERATIONAL PROCEDURES

a) Smoking

The health hazards of smoking and passive smoking are now well documented. Therefore, smoking is:

i) Not permitted in DPS vehicles to include aircraft at any time.

ii) Not permitted in DPS buildings at any time.

iii) Not permitted outside within 25 feet of entrances, windows, and ventilations systems of any DPS building.

b) Smokeless Tobacco

The major problem to non-users, with the use of smokeless tobacco, is the waste product which contains a known carcinogen and an addictive substance; it also contains a generous amount of human saliva, a possible carrier of viral agents or bacteria, all of which serves to render it unsanitary to dispose of in an office environment. For this reason, the use of smokeless tobacco shall be confined to the outdoors, where the waste products can be discarded in an outside receptacle.

c) Other General Restrictions on Tobacco Use

The following additional restrictions apply to all forms of tobacco use.

i) An employee who wishes to use tobacco products or an electronic smoking device during work time, outside buildings, must do so on his/her authorized break period only.

ii) When DPS personnel are in direct contact with the public, they shall refrain from using tobacco or an electronic smoking device, or obtain prior permission from the individual with whom they are in direct contact before using it.

d) Signage and Designation

The General Services Bureau chief will be responsible for ensuring the following at the DPS headquarters building while district commanders will be responsible for the same at buildings under their control:

i) "No Smoking" signs shall be posted where they are clear, conspicuous, and easily legible at each entrance to DPS buildings.

ii) If practical, identify a designated smoking area and label it as such. Ensure the necessary waste receptacles are placed within the designated area.

e) **Complaints**

Complaints about employees in violation of this policy may be made directly to their immediate supervisor. It is the responsibility of the supervisor to attempt to immediately resolve any complaints by investigating them promptly and taking appropriate action in accordance with this policy.

7) ATTACHMENTS

a) **NONE**

8) APPROVAL

APPROVED BY: _____ **DATE:** 11/17/25

DPS Cabinet Secretary