

CALIFORNIA HIGHWAY PATROL

GENERAL ORDER 6.1

REVISED JANUARY 2019

SMOKING

1. PURPOSE. The purpose of this order is to provide departmental policy to conform to Government Code Section 7597, the State Administrative Manual (SAM), Chapter 1300 - Building and Property Management Branch, Section 1330.5 - Smoking in State Buildings, and the Indoor Environmental Quality Prerequisite 1: Minimum Indoor Air Quality Performance: Leadership in Energy and Environmental Design (LEED) 2.0 Requirement.

State law and the SAM require that smoking, including electronic cigarettes that deliver nicotine or other vaporized liquids, shall be prohibited in all state-owned buildings or leased space, but they do not apply to state-owned housing that serves as the primary place of residence for state employees. Smoking is also prohibited in all state-owned passenger vehicles and mobile equipment to include light- and heavy-duty trucks, cargo and passenger vans, buses, and any other mobile equipment with an enclosed or enclosable driver/passenger compartment. The LEED Green Building Rating System requires that smoking shall be prohibited in California public buildings.

2. POLICY.

a. State-Owned or Leased Space. Except as noted in paragraph 2.c. and 2.g.(2) of this General Order (GO), smoking is prohibited in all state-owned buildings or leased space, including space within buildings shared with others.

(1) This prohibition shall apply to any area enclosed by perimeter (outermost) walls of the building. Atriums, balconies, stairwells, and other similar building features are to be considered "within a building."

(2) Smoking shall not be permitted within 25 feet of doorways, ground level air intake structures, and operable windows.

b. Signage. All buildings covered by this GO shall have clearly displayed signs at all entrances/exits and other conspicuous locations (bathrooms, lunchrooms, etc.) throughout the facility to notify occupants and the public that smoking is prohibited within the building.

- (1) Signs must read “NONSMOKING BUILDING” or “SMOKING NOT PERMITTED IN THIS BUILDING.” The universal “no smoking” symbol may also be used in conjunction with other written signage.
 - (2) Signs shall be written in English. If management personnel discern a need for signs written in another language, they may be produced in both English and a maximum of two other languages.
 - (3) On building accesses, the signs shall be written in bold print and readable from a distance of 25 feet.
- c. Permitted Area. Smoking may be permitted only in the following areas:
- (1) Outside of buildings in areas where smoking is not otherwise prohibited.
 - (2) Outside of buildings, at least 25 feet or more away from an entrance, exit, ground level air intake structure, or operable window of a building.
 - (3) State-owned housing that is the primary residence of an employee.
- d. State-Owned Passenger Vehicles and Mobile Equipment. Smoking is prohibited in all departmental vehicles including state-owned passenger vehicles and all other state-owned mobile equipment to include light- and heavy-duty trucks, cargo and passenger vans, buses, and any other mobile equipment with an enclosed or enclosable driver/passenger compartment.
- e. Smoke Breaks. Smoke breaks may be taken in lieu of regular rest breaks at the discretion of the supervisor and employee; however, total daily time allowed for smoke breaks shall not exceed the time allocated for regular rest breaks.
- f. Clean Up.
- (1) Ashtrays and other appropriate smoking litter devices should be provided on the exterior premises of the building. These devices should be appropriately located for proper ventilation and distribution of the smoking population.
 - (2) Smokers are required to safely discard used smoking materials in ashtrays or receptacles provided outside of the building.
- g. Administration of Policy.
- (1) Managers and supervisors are responsible for informing all employees of the departmental smoking policy and for ensuring compliance.

(2) If the restrictions of the smoking policy jeopardize the safety of smoking employees, the commander shall take into consideration all available alternatives when designating smoking/nonsmoking areas. This may be necessary if the command is located in a high-risk area due to geographical location, high-crime, transient population, etc. The commander shall use discretion in allowing smoking in open breezeways, atriums, and fenced or similarly shielded areas for employee protection. The safety and security of all employees must be considered as well as adverse impacts to nonsmoking employees.

OFFICE OF THE COMMISSIONER

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