

Indoor Clean Air Act (ICAA) Expansion – Effective January 1, 2016

Enforced by the Tobacco Prevention and Education Program (TPEP)

What is new about the ICAA?

- The Oregon Indoor Clean Air Act (ICAA), which prohibits smoking indoors and within 10 feet of entrances, has been expanded to include the use of “inhalant delivery systems.”
- People may not use e-cigarettes and other inhalant delivery systems in any indoor public spaces in Oregon, in cars with minors under the age of 18, or within ten feet of entrances, exits, windows that open, air intake vents or accessibility ramps.

What are inhalant delivery systems?

- Inhalant delivery systems are devices that can be used to deliver nicotine and other substances in the form of a vapor or aerosol. These include e-cigarettes, vape pens, e-hookah and other devices.

Why is it a problem if people are exposed to e-cigarette vapor or aerosol?

- Preliminary testing of e-cigarettes has identified chemicals known to cause cancer and birth defects in first and secondhand e-cigarette vapor.¹
- The Food and Drug Administration (FDA) analyzed samples of e-cigarettes and found carcinogens and detectable levels of other toxic chemicals.²

Why is Oregon doing this?

- The ICAA protects all Oregonians from the potential harms of e-cigarettes and other inhalant delivery systems. This is an important step toward protecting our kids and reducing their exposure to nicotine and tobacco.

Are there any exceptions to the law?

- The law permits healthcare facilities to allow inhalant delivery systems on site for the purpose of administering medical marijuana.

Can I put a substance other than nicotine in my e-cigarette or other inhalant delivery system and use it in an area covered by the Indoor Clean Air Act?

- No. The law defines inhalant delivery systems as devices that can be used to deliver nicotine, cannabinoids or other substances. Cannabinoids are chemical compounds found within the cannabis, or marijuana, plant.

Does the law mean customers can no longer aerosolize or vape inside of a vape shop?

- That is correct. The law prohibits the use of inhalant delivery systems indoors and within ten (10) feet of doors, windows that open, accessibility ramps and air intake vents.

Am I required to post signs on my business that vaping is no longer allowed?

- Yes. Beginning January 1st “No smoking or vaping” signs need to be placed at all entrances and exits.

¹ University of California, San Francisco, Center for Tobacco Control Research and Education. <http://www.tobacco.ucsf.edu/9-chemicals-identified-so-far-e-cig-vapor-are-california-prop-65-list-carcinogens-and-reproductive-t>

² <http://www.fda.gov/NewsEvents/PublicHealthFocus/ucm173146.htm>

Where do I get those signs for my business?

- Download printable signs at: <http://public.health.oregon.gov/PreventionWellness/TobaccoPrevention/EducationalResources/Pages/index.aspx>

What are the consequences for not following the law?

- If a business is not in compliance with the law, they could incur fines up to \$500 per day for each violation.

As an employer, how do I comply with the law?

- Talk with your customers and employees about the law.
- Provide training to employees on how to ask visitors and patrons not to smoke or vape.
- Prohibit smoking and use of inhalant delivery systems in the workplace and within 10 feet of all entrances, exits, accessibility ramps that lead to and from an entrance or exit, windows and air-intake vents.
- Post signs at all building entrances and exits.
- Mark as non-smoking/vaping outdoor seating or dining areas that are within 10 feet of entrances, exits and accessibility ramps that lead to and from an entrance or exit, windows that open and ventilation intakes.
- Provide support for employees who smoke or vape to quit.
 - Encourage them to call Oregon's toll-free **QUIT LINE at 800-QUIT-NOW (800-784-8669)** or, for Spanish, is **1.855.DEJELO-YA (1.855.335356.92)**
 - Or go to www.quitnow.net/oregon and www.quitnow.net/oregonsp (Spanish).

Who's enforcing the law?

- All Local Public Health Authorities (LPHAs) work with the Oregon Health Authority (OHA) for enforcement of the Oregon Indoor Clear Air Act. LPHAs respond to complaints of violation and work with businesses to come into compliance.

How do I report someone breaking the law?

- People may report violations of the law anonymously online at: <https://public.health.oregon.gov/PreventionWellness/TobaccoPrevention/SmokefreeWorkplaceLaw/Pages/complaints.aspx> or call 1-866-621-6107.

Where can I find out more information about the ICAA?

- Visit <http://healthoregon.org/morefreshair>

Can I adopt a worksite policy stronger than the state ICAA law?

- Yes, a business owner can make their entire property smoke free or tobacco free. Contact your local Tobacco Prevention & Education Program Coordinator for more information.

For addition questions contact the TPEP Coordinator:



Elizabeth Sampedro, MPH
Yamhill County Public Health
Tobacco Prevention & Education Program (TPEP) Coordinator
412 NE Ford Street
McMinnville, OR 97128
Phone: (503) 434-7481
sampedroe@co.yamhill.or.us