

SMOKE-FREE OUTDOOR DINING FAQs

1: What is secondhand smoke?

Secondhand smoke is a combination of the smoke from the burning end of a cigarette, cigar, or pipe and the smoke exhaled by a person who is smoking. It is a dangerous substance that has immediate adverse effects on the cardiovascular system and it causes coronary heart disease and lung cancer. Former U.S. Surgeon General Richard Carmona concluded in his 2006 report *The Health Consequences of Involuntary Exposure to Tobacco Smoke* “The scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke.”

2: How is smoking defined?

Smoking means carrying or having in one’s possession a lighted cigarette, cigar, pipe, or other object giving off tobacco smoke.

3: What is the definition of an outdoor eating area?

An outdoor eating area is defined as a patio, deck or other property that is partially enclosed or open to the sky that it is permitted for outdoor eating or drinking under the control of an eating establishment, where food and/or drink are served by the eating establishment to the public for consumption on the premises.

4: When did this law take effect and does this law apply state-wide?

This law took effect on September 12, 2009 and applies to such locations 24 hours a day, 365 days a year. It is Maine Public Law 2009, CH. 140 and 22 M.R.S.A. §§ 1542 sub-§1 & 1550.

5: Who is responsible for notifying the patrons of outdoor eating areas about this law?

The managers and/or owners of such establishments are responsible for notifying patrons of the prohibition, and shall post signs and request that all persons comply with the law.



6: Are signs available or are businesses expected to buy their own signs?

Free weather-resistant signs and static clings are available. For free “Smoke-Free Area” signs to post at your business, contact your local Healthy Maine Partnership at www.healthymainepartnerships.org

