



PREEMPTION

This part expressly preempts regulation of smoking to the state and supersedes any municipal or county ordinance on the subject; however, school districts may further restrict smoking by persons on school district property. This does not preclude the adoption of municipal or county ordinances that impose more restrictive regulation on the use of vapor generating devices (s. 386.209, F.S.).

PUBLIC ANNOUNCEMENT IN MASS TRANSPORTATION TERMINALS

Announcements about the FCAA shall be made regularly over public address systems in terminals of public transportation carriers located in metropolitan areas with populations of over 230,000. The announcements shall be made at least every 30 minutes in appropriate languages. The announcement must include a statement that Florida is a clean air state and smoking and vaping is not allowed except as provided in this part (s. 386.211, F.S.).

Florida
HEALTH

Tobacco Free
Florida
.com

TOBACCO FREE FLORIDA offers **FREE** resources to help smokers quit.

- These services are available at no cost to tobacco users to help them succeed today
- However you decide to seek help, you will receive proactive coaching sessions, self-help materials, and free nicotine replacement therapy*
- Counseling and materials in English, Spanish, and Haitian Creole: translation services for all other languages and TTY service for the hearing impaired

**If medically appropriate and 18 years of age or older.*

QUIT YOUR WAY



PHONE QUIT



GROUP QUIT



WEB QUIT

For more information, visit us at
TobaccoFreeFlorida.com/QuitYourWay.

THE FLORIDA CLEAN AIR ACT (FCAA)

Chapter 386, Florida Statutes

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The purpose of the **Florida Clean Air Act (FCAA)** is to protect people from the health hazards of secondhand smoke and vapor and to implement the Florida health initiative in s. 20, Art. X of the State Constitution.

PROHIBITION

A person may not smoke or vape in an enclosed indoor workplace (s. 386.204, F.S.).

“Enclosed Indoor Workplace” means any place where one or more persons engage in work, and which is predominantly or totally bounded on all sides and above by physical barriers. A place is “predominantly” bounded by physical barriers at any time when both conditions exist:

- a) It is more than 50% covered from above by a physical barrier that excludes rain, and
- b) More than 50% of the combined surface area is covered by solid surfaces that block airflow

POSTING OF SIGNS

The following places are required to post signs if smoking is permitted:

- Licensed Stand-Alone Bar
- Customs Smoking Room
- Smoking Cessation Program
- Medical or Scientific Research Program

REQUIRING POLICIES

The proprietor or other person in charge of an enclosed indoor workplace must develop and implement a policy regarding the smoking and vaping prohibition (s. 386.206(1), F. S.).

Specific Exceptions: Tobacco smoking or vaping may be permitted in the following places:

- **Private Residence**
as defined in s. 386.2045(1), F.S.
- **Retail Tobacco Shop**
as defined in s. 386.203(9), F.S.
- **Retail Vape Shop**
as defined in s. 386.203(16), F.S.
- **Designated Smoking Guest Room**
as defined in s. 386.203(4), F.S.
- **Stand-Alone Bar**
as defined in s. 386.203(12), F.S.
- **Smoking Cessation Program, Medical or Scientific Research** as defined in s. 386.2045(6), F. S.
- **Customs Smoking Room**
subject to restrictions contained in s. 386.205, F.S.
- **Membership Association**
as defined in s. 386.203(7), F.S., and provided that non-commercial activities and all work performed is done by members of the membership association.

ADMINISTRATION AND ENFORCEMENT

The Department of Health (DOH) and the Department of Business & Professional Regulation (DBPR) are responsible for enforcing the FCAA.

The following are examples of places the Department of Health has treated as enclosed indoor workplaces:

- Shopping Mall
- Educational Facility
- Health Care Facility
- Adult or Child Care Center
- Office Complex
- Convenience Store
- Public and Private Workplace
- Auditorium or Theater

To learn more or to report a violation of the FCAA, visit TobaccoFreeFlorida.com/FCAA, call 1-800-337-3742, or email FCAA@FLHealth.gov

DBPR shall enforce the FCAA in the following workplaces if applicable:

- Restaurant
- Bowling Center
- Stand-Alone Bar
- Dog or Horse Track
- Casino Ship
- Billiard
- Bingo Hall
- Jai Alai
- Civic and Fraternal Organizations



For information about premises licensed by DBPR, call 850-487-1395 or register a complaint at MyFloridaLicense.com