

COMPREHENSIVE SMOKEFREE AIR RUBRIC

November 2021

Rubric language that is crossed out (e.g. Q30) indicates that PETS analysis is temporarily not being done on these questions and thus data is not yet available for these fields. PETS will resume analysis and data collection on these questions at a future date.

Fields	Category	Max Points	Response Options and Points
County Name	Core Variable		
County FIPS Code	Core Variable		
City Name <i>or</i> Unincorporated (<i>for County</i>)	Core Variable		
City FIPS Code	Core Variable		
Policy Type	Core Variable		
Most Recent Date Enacted	Core Variable		
Most Recent Effective Date	Core Variable		
Model Policy Date	Core Variable		
Filename	Core Variable		
1. Does the policy apply to all inhaled tobacco and nicotine products (i.e. products that produce emissions) at least to the same degree that it applies to smoking?	Tracking	0	Yes; No
2. Does the policy apply to electronic smoking devices, such as e-cigarettes?	Specificity	4	Yes, in all areas where smoking is prohibited=4; Yes, everywhere smoking is prohibited with carve-out for vaping only in specialty retailers=1; No=0
2a. Regardless of general smoking restrictions, does the policy preclude e-cigarette use in ESD businesses?	Tracking	0	Yes; Not Specified; No
3. Does the policy apply to smokeless tobacco products (e.g. chewing tobacco, snus, etc.)?	Tracking	0	Yes, in all areas where smoking is prohibited; Yes, only in some/specified venues; Yes, but smokeless products permitted in specialty retailers and/or lounges; Yes, Other; No
3a. If Only in Some/Specified Venues, state which ones.	Tracking	0	Text field
4. Does the policy apply to hookah/shisha products?	Specificity	4	Yes, in all areas where smoking is prohibited=4; Yes, but permitted in specialty retailers and/or lounges=1; Other/No=0

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5. Does the policy apply to heated tobacco products, like IQOS?	Specificity	4	Yes, in all areas where smoking is prohibited=4; Yes, but permitted in specialty retailers and/or lounges=1; Other/No=0
6. Does the policy apply to smoking and vaping marijuana?	Specificity	4	Yes, both smoking <i>and</i> vaping marijuana in all areas where smoking is prohibited=4; Yes, smoking <i>or</i> vaping marijuana in all areas where smoking is prohibited=2; Yes, but smoking and/or vaping marijuana permitted in marijuana businesses=1; Other/No=0
6a. Are the marijuana restrictions free of exemptions for medical use (smoking and/or vaping)?	Tracking	0	Yes; No
6b. Are the marijuana restrictions free of exemptions for ESD-only marijuana use?	Tracking	0	Yes; No
6c. Is marijuana exempted completely?	Tracking	0	Yes; No
7. Is the policy free of an exemption for marijuana special events?	Restrictiveness	4	Yes, it is free of special marijuana event exemptions=4; No=0
8. Does policy require all outdoor public places generally to be smokefree?	Restrictiveness	5	Yes=5; Limited Smoking Areas=3; Sections/No=0
8a. If Limited Smoking Areas, what are the requirements (e.g. upon application only, designated smokers' outpost, etc.)?	Tracking	0	Text field
9. Does the policy require any outdoor dining areas (i.e. restaurants) to be smokefree?	Restrictiveness	4	All=4; Some/Sections/No=0
9a. Does the policy apply equally to e-cigarette use as it does to smoking?	Tracking	0	Yes; No; Not Applicable
9b. Does the policy apply equally to smoking/vaping marijuana as it does to smoking?	Tracking	0	Yes, both smoking and vaping marijuana; Yes, marijuana smoking only; Yes, marijuana vaping only; No/Not Applicable
10. Does the policy require outdoor bar areas to be smokefree?	Restrictiveness	4	All=4; Some/Sections/No=0
10a. Does the policy apply equally to e-cigarette use as it does to smoking?	Tracking	0	Yes; No; Not Applicable
10b. Does the policy apply equally to smoking/vaping marijuana as it does to smoking?	Tracking	0	Yes, both smoking and vaping marijuana; Yes, marijuana smoking only; Yes, marijuana vaping only; No/Not Applicable

Fields	Category	Max Points	Response Options and Points
11. Does the policy require that smoking take place a certain distance away from windows, doors, and openings into an enclosed area where smoking is prohibited by law?	Restrictiveness	2	Yes=2; Some (incl. only city/county buildings)=1; No=0
11a. If Yes, what is the specified number of feet?	Restrictiveness	3	25+=3; 15-24=2; Less than 15 or "reasonable"=1; No such provision=0
11b. If Some, describe.	Tracking	0	Text field
12. Does the policy require outdoor public events and venues (e.g. farmers' markets, fairs, concerts, flea markets, sports arenas, swap meets, shopping centers, special/specified events) to be smokefree?	Restrictiveness	5	All/Not limited to=5; Specified events and venues/Some events and venues/City- or county-sponsored events/owned venues=3; Sections=1; No=0
12a. All city/county events	Tracking	0	Yes; Some or Specified; Sections; No
12b. All city/county venues	Tracking	0	Yes; Some or Specified; Sections; No
12c. Farmers' markets	Tracking	0	Yes; Some or Specified; Sections; No
12d. Fairs/festivals	Tracking	0	Yes; Some or Specified; Sections; No
12e. Flea markets/swap meets	Tracking	0	Yes; Some or Specified; Sections; No
12f. Concert venues	Tracking	0	Yes; Some or Specified; Sections; No
12g. Sports arenas/stadiums	Tracking	0	Yes; Some or Specified; Sections; No
12h. Shopping centers	Tracking	0	Yes; Some or Specified; Sections; No
12i. Special events	Tracking	0	Yes; Some or Specified; Sections; No
12j. Specified outdoor events/venues (details)	Tracking	0	Text field
12k. Does the policy apply equally to e-cigarette use as it does to smoking?	Tracking	0	Yes; No; Not Applicable
12l. Does the policy apply equally to smoking/vaping marijuana as it does to smoking?	Tracking	0	Yes, both smoking and vaping marijuana; Yes, marijuana smoking only; Yes, marijuana vaping only; No/Not Applicable
13. Does the policy require outdoor recreational areas (e.g. parks, playgrounds, trails, bike/pedestrian paths, sports fields, beaches) to be smokefree?	Restrictiveness	5	All/Not limited to=5; All city/county recreational areas only/Some=3; Sections=1; No=0
13a. All city/county recreational areas	Tracking	0	Yes; Some or Specified; Sections; No
13b. Parks	Tracking	0	Yes; Some or Specified; Sections; No
13c. Beaches	Tracking	0	Yes; Some or Specified; Sections; No
13d. Playgrounds	Tracking	0	Yes; Some or Specified; Sections; No
13e. Trails	Tracking	0	Yes; Some or Specified; Sections; No
13f. Bike/pedestrian paths/lanes	Tracking	0	Yes; Some or Specified; Sections; No
13g. Sports fields	Tracking	0	Yes; Some or Specified; Sections; No
13h. Specified outdoor recreational areas (details)	Tracking	0	Text field

Fields	Category	Max Points	Response Options and Points
13i. Does the policy apply equally to e-cigarette use as it does to smoking?	Tracking	0	Yes; No; Not Applicable
13j. Does the policy apply equally to smoking/vaping marijuana as it does to smoking?	Tracking	0	Yes, both smoking and vaping marijuana; Yes, marijuana smoking only; Yes, marijuana vaping only; No/Not Applicable
14. Does the policy require outdoor transit stops/shelters to be smokefree?	Restrictiveness	2	Yes, all=2; Some (e.g. specified systems only, or shelters only but not stops)=1; Sections/No=0
14a. Does the policy apply equally to e-cigarette use as it does to smoking?	Tracking	0	Yes; No; Not Applicable
14b. Does the policy apply equally to smoking/vaping marijuana as it does to smoking?	Tracking	0	Yes, both smoking and vaping marijuana; Yes, marijuana smoking only; Yes, marijuana vaping only; No/Not Applicable
15. Does the policy require public easements/rights of way [e.g. sidewalks, plazas, downtown/business district(s), service lines] to be smokefree?	Restrictiveness	4	All/Not limited to=4; Some/Specified=2; Sections=1; No=0
15a. Plazas	Tracking	0	Yes; Some or Specified; Sections; No
15b. Alleys	Tracking	0	Yes; Some or Specified; Sections; No
15c. Sidewalks	Tracking	0	Yes, all; All commercial; Some or Specified Commercial; No
15c1. If Some/Specified, explain:	Tracking	0	Text field
15d. Downtown/commercial/business districts generally	Tracking	0	Yes, all; Some or Specified; Sections; No
15d1. If Some/ Specified, explain:	Tracking	0	Text field
15e. Service lines	Tracking	0	Yes, all; Some or Specified; Sections; No
15f. Specified public easements/rights of way (details)	Tracking	0	Text field
15g. Does the policy apply equally to e-cigarette use as it does to smoking?	Tracking	0	Yes; No; Not Applicable
15h. Does the policy apply equally to smoking/vaping marijuana as it does to smoking?	Tracking	0	Yes, both smoking and vaping marijuana; Yes, marijuana smoking only; Yes, marijuana vaping only; No/Not Applicable
16. Does the policy require government building campuses to be smokefree?	Restrictiveness	4	All/Not limited to=4; Some/Specified=2; Sections/No=0
16a. If Some/Specified, list campuses.	Tracking	0	Text field
17. Does the policy require outdoor places of employment (e.g. construction areas, farm fields, etc.) to be smokefree?	Restrictiveness	5	All public and private with 2 or more workers/Yes=5; Only private worksites or only public worksites/Partial/Some=2; No=0

Fields	Category	Max Points	Response Options and Points
17a. Public workplaces	Tracking	0	Yes; Partial or Some; No
17a1. List specified areas:	Tracking	0	Text field
17b. Private workplaces	Tracking	0	Yes; Partial or Some; No
17b1. List specified areas:	Tracking	0	Text field
17c. Does the policy apply equally to e-cigarette use as it does to smoking?	Tracking	0	Yes; No; Not Applicable
17d. Does the policy apply equally to smoking/vaping marijuana as it does to smoking?	Tracking	0	Yes, both smoking and vaping marijuana; Yes, marijuana smoking only; Yes, marijuana vaping only; No/Not Applicable
18. Does the policy require retail and/or wholesale tobacco shops to be smokefree?	Restrictiveness	4	Yes, both retail <i>and</i> wholesale=4; Retail only/Wholesale only=2; Lounge exemption(s)/Not Specified/No=0
18a. If retail and/or wholesale tobacco shops must be smokefree, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
18b. Is the policy free of private smokers' (e.g. cigar) lounge exemption language?	Tracking	0	Yes; No
18c. Is the policy free of hookah lounge exemption language?	Tracking	0	Yes; No
19. Does the policy require all hotel or motel guest rooms to be 100% smokefree?	Restrictiveness	4	Yes=4; Some/No=0
19a. If guest rooms are not 100% smokefree, list percentage.	Tracking	0	Text field
20. Does the policy require cabs of trucks or tractors used as workplace vehicles to be smokefree?	Restrictiveness	2	Yes, all=2; Yes, except exclusive use vehicles=1; Some/ No=0
20a. Public work vehicles	Tracking	0	Yes; Exclusive use; Some; No
20b. Private work vehicles	Tracking	0	Yes; Exclusive use; Some; No
21. Does the policy require taxis and/or rideshare vehicles to be smokefree?	Restrictiveness	2	Yes, both at all times=2; Taxis only at all times /Rideshares only at all times=1; Taxis and/or rideshares only when occupied/No=0
22. Does the policy require common indoor areas of residential care facilities to be smokefree?	Restrictiveness	2	Yes, all=2; Partial/Some/Sections/No=0
23. Does the policy require patient rooms of residential care facilities to be smokefree?	Restrictiveness	2	Yes, all private rooms=2; Partial/Some/Sections of patient rooms=1; No=0
24. Does the policy require common outdoor areas of residential care facilities to be smokefree?	Restrictiveness	2	Yes, all=2; Partial/Some/Sections/No=0

Fields	Category	Max Points	Response Options and Points
25. Does the policy require outdoor areas of healthcare facilities, other than residential care facilities (i.e. hospitals, clinics, etc.), to be smokefree?	Restrictiveness	3	Yes, all=3; Partial/Some/Sections=1; No=0
26. Does the policy require all existing businesses to be subject to the smokefree requirements?	Tracking	0	Yes; No
26a. If No, specify.	Tracking	0	Text field
27. Does the policy require any type of public place to be free of tobacco product waste (litter)?	Restrictiveness	2	Yes=2; No=0
28. Does the policy designate tobacco product waste (litter) as a nuisance?	Restrictiveness	2	Yes=2; No=0
29. Does the policy designate secondhand smoke as a nuisance?	Restrictiveness	2	Yes=2; No=0
30. Does the policy require the posting of "no smoking" signs where smoking is regulated?	Enforcement	1	Yes=1; No=0
31. Does the policy specify a government entity to be responsible for enforcing the policy?	Enforcement	3	Yes=3; No=0
31a. If Yes, health agency?	Tracking	0	Yes; No
31b. If yes, law enforcement?	Tracking	0	Yes; No
31c. If yes, fire department?	Tracking	0	Yes; No
31d. If yes, code enforcement officer?	Tracking	0	Yes; No
31e. If yes, elected officials?	Tracking	0	Yes; No
31f. If yes, administrator?	Tracking	0	Yes; No
31g. If yes, other	Tracking	0	Text field
32. Can individuals seek to enforce the ordinance (i.e. private right of action)?	Enforcement	3	Yes=3; No=0
33. Does the policy include one or more penalties (e.g. fines, civil action, criminal prosecution as infraction or misdemeanor, nuisance abatement, etc.)?	Enforcement	3	Yes=3; No=0
33a. If Yes, is there a graduated penalty system?	Tracking	0	Yes; No
33b. If Yes, are fines a possible penalty?	Tracking	0	Yes; No
33b1. If Yes, list all fines. (For example: "1st penalty = \$100, 2nd = \$250," or Not Specified, etc.)	Tracking	0	Text field
33c. If Yes, is injunction/abatement of nuisance available as a remedy?	Tracking	0	Yes; No

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33d. If Yes, is infraction a possible penalty?	Tracking	0	Yes; No
33e. If Yes, is misdemeanor a possible penalty?	Tracking	0	Yes; No
33f. Other specified penalties?	Tracking	0	Text field
34. Do the Smokefree Outdoor Dining/Bars/Service Areas provisions apply to combustible tobacco products?	Tracking	0	Yes; Not Applicable
35. Do the Smokefree Outdoor Non-recreational Public Areas provisions apply to combustible tobacco products?	Tracking	0	Yes; Not Applicable
36. Do the Smokefree Outdoor Public Places provisions apply to combustible tobacco products?	Tracking	0	Yes; Not Applicable
	Total points	100	