

**AGENCY RULE**

**34.05.99.F1 Smoking and Tobacco Use**

Supplements System Policy 34.05

Approved December 4, 1997

Revised March 11, 2005

Revised September 15, 2016

Revised October 29, 2019

Next Scheduled Review October 2024

1. RULE STATEMENT

The Texas A&M Forest Service (TFS) has a vital interest in maintaining a healthy and safe environment for its employees, customers and visitors.

1. REASON FOR RULE

This rule is required by System Policy 34.05, Smoking.

1. PROCEDURES
   1. Vaping and the use of e-cigarettes is not permitted in any part of TFS owned or leased facilities or property.
   2. All buildings, entrances to buildings, walkways, parking structures and vehicles, owned or leased by TFS will be entirely smoke-free. The smoke-free rule will apply to all indoor air space including foyers, entryways, breakrooms, and offices.
   3. TFS leased space and leased vehicles will be subject to any additional smoking and tobacco use restrictions required by the owner.
2. RESPONSIBILITIES

TFS department heads, program managers, and chiefs have the following responsibilities:

4.1 Be knowledgeable of owner restrictions on smoking and tobacco use in leased spaces and vehicles.

4.2 Ensure that appropriate signage on smoking and tobacco use is posted.

4.3 Ensure customers, visitors and employees follow the applicable restrictions on smoking and tobacco use.

The Environmental Health and Safety Officer will coordinate with department heads, program managers, and chiefs to ensure that appropriate signs are displayed in TFS buildings and vehicles.

5. ENFORCEMENT

This rule relies on the thoughtfulness, consideration and cooperation of smokers, tobacco users, non-smokers, and non-tobacco users for its success. It is the responsibility of all TFS employees to observe the provisions of the rule.

6. RELATED STATUES, POLICIES AND REQUIREMENTS

[System Policy 34.05 Smoking](http://policies.tamus.edu/34-05.pdf)

[Tex. Penal Code § 48.01 Smoking Tobacco](http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.48.htm#48.01)

[Tex. Lab. Code § 411.103 Duty of Employer to Provide Safe Workplace](http://www.statutes.legis.state.tx.us/Docs/LA/htm/LA.411.htm#411.103)

[Title 28 Texas Admin. Code Ch. 34 State Fire Marshal, § 34.303 Adopted Standards (Adopts by rule applicable chapters of the National Fire Protection Association (NFPA) Life Safety Code 101 (2006 Edition))](http://texreg.sos.state.tx.us/public/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=28&pt=1&ch=34&rl=303)

7. DEFINITIONS

Smoking – the use or carrying of a lighted pipe, cigar, cigarette, tobacco, e-cigarette or any other type of nicotine delivery device or smoking substance.

Tobacco – all forms of tobacco products including but not limited to cigarettes, cigars, pipes, water pipes (hookah), bidis, kreteks, e-cigarettes, smokeless tobacco, snuff and chewing tobacco.

Vaping – the action or practice of inhaling and exhaling the vapor produced by an e-cigarette or similar device.

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