



New Mexico Allied Council on Tobacco

# Dee Johnson Clean Indoor Air Act

## *What is the Dee Johnson Clean Indoor Air Act?*

- Enacted in June 2007, this law implemented a comprehensive policy that prohibits smoking in most public places and workplaces in New Mexico.
- It also requires the creation of smokefree areas near entrances, windows, and ventilation systems of these same public places and workplaces.

## *How are these smokefree areas determined?*

- These smokefree areas must extend a “reasonable distance” from any entrances, windows, or ventilation systems to any enclosed areas where smoking is prohibited.

## *What does “reasonable distance” mean?*

- According to the Act, it should be a “distance sufficient to ensure that persons entering or leaving the building or facility shall not be subjected to breathing tobacco smoke and to ensure tobacco smoke does not enter the building or facility through entrances, windows, ventilation systems, or any other means.”
- However, counties with local ordinances may include a specific measured distance, which are included on the next page.

## *Who enforces the Dee Johnson Clean Indoor Air Act?*

- Local fire, police, and sheriff’s departments are responsible for enforcing this law.
- Many counties have local dispatch numbers that individuals may call to report alleged violations of the law or they can call the public information number of their local police, fire or sheriff’s department, as well.
- Please check [www.smokefreeNM.com/reporting\\_violations](http://www.smokefreeNM.com/reporting_violations) for a phone listing with information on how to report a violation of the Dee Johnson Clean Indoor Air Act in your city or county.



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# Local Ordinances by County

## Bernalillo

- There are currently no specifications for reasonable distance.
- There are no enclosed indoor areas, facilities, or spaces controlled by the county where smoking is permitted.

## Catron

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.

## Chaves

- In Roswell, private clubs are allowed to legally offer designated outdoor smoking areas for members, up to 4 days a month and up to 6 hours per event. Otherwise, indoor and outdoor smoking in enclosed public spaces is prohibited.

## Cibola

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.

## Colfax

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.

## Curry

- In Clovis, it is unlawful for any person to smoke in the meeting room of the city at a public meeting, including during study sessions or meetings of the Clovis city commission.

## De Baca

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.

## Doña Ana

- Smoking is prohibited within a 50 feet radius of an opening into any enclosed area where smoking is prohibited.
- Areas that must adhere to this mandate include, but is not limited to, county-owned property, public transit, areas where the public attends to personal business (ex. health care facilities, laundromats), restaurants, recreational areas, and public meeting spaces.

## Eddy

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.

## Grant

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.



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# Local Ordinances by County

## Guadalupe

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.

## Harding

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.

## Hidalgo

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.

## Lea

- In Hobbs, it is unlawful for any person to smoke in any City-owned building at any time.
- There are currently no specifications for outdoor spaces related to smoking.

## Lincoln

- There are currently no specifications for reasonable distance related to smoking.
- It is unlawful for a person to smoke in any indoor workplace or indoor public place or in buses, taxicabs, or other means of public transit.

## Los Alamos

- For county-owned buildings, smoking is prohibited within a 25 feet radius of an opening into any enclosed area where smoking is prohibited.
- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.

## Luna

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.

## McKinley

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.

## Mora

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.

## Otero

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.

## Quay

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.



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## Local Ordinances by County

### Rio Arriba

- In Espanola, smoking is prohibited within a 20 feet radius of an opening into any enclosed area where smoking is prohibited.
- Areas that must adhere to this mandate include, but is not limited to, bars, hotels and motels, and private clubs hosting an event where the general public is invited.

### Roosevelt

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.

### San Juan

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.

### San Miguel

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.

### Sandoval

- There are currently no specifications for reasonable distance, but smoking is prohibited within 25 feet of any fireworks stand or warehouse.
- It is unlawful for any person to smoke in a public place or at a public meeting except in smoking permitted areas (ex. smoking lounges).

### Santa Fe

- Smoking is prohibited within a 25 feet radius of an opening into any enclosed area where smoking is prohibited.
- Areas that must adhere to this mandate include, but is not limited to, schools, bars, and movie theaters.

### Sierra

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.

### Socorro

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.

### Taos

- In Taos, smoking is prohibited within a 25 feet radius of an opening into any enclosed area where smoking is prohibited.

### Torrance

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.



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## Local Ordinances by County

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### Union

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.

### Valencia

- There are currently no specifications for reasonable distance or outdoor spaces related to smoking.