

House Bill 3410

Sponsored by Representative GOMBERG; Representatives BAILEY, BARNHART, DEMBROW, GALLEGOS, GORSEK, HOLVEY, KENY-GUYER, LIVELY, TOMEI, VEGA PEDERSON, WILLIAMSON, Senators ROBLAN, STEINER HAYWARD

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Makes vehicle operated exclusively by one employee in course of employer's business subject to Oregon Indoor Clean Air Act. Makes vehicle that can be enclosed on all sides and is used to transport customers for fee subject to Oregon Indoor Clean Air Act.

A BILL FOR AN ACT

1
2 Relating to vehicles that are subject to the Oregon Indoor Clean Air Act; amending ORS 433.835.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 433.835 is amended to read:

5 433.835. As used in ORS 433.835 to 433.875:

6 (1) "Cigar bar" means a business that:

7 (a) Has on-site sales of cigars as defined in ORS 323.500;

8 (b) Has a humidor on the premises;

9 (c) Allows the smoking of cigars on the premises but prohibits the smoking of all other tobacco
10 products in any form including, but not limited to, loose tobacco, pipe tobacco, cigarettes as defined
11 in ORS 323.010 and cigarillos as defined by the Oregon Health Authority by rule;

12 (d) Has been issued and operates under a full on-premises sales license issued under ORS
13 471.175;

14 (e) Prohibits persons under 21 years of age from entering the premises and posts notice of the
15 prohibition;

16 (f) Does not offer video lottery games as authorized under ORS 461.217;

17 (g) Has a maximum seating capacity of 40 persons;

18 (h) Has a ventilation system that exhausts smoke from the business and is designed and termi-
19 nated in accordance with the state building code standards for the occupancy classification in use;
20 and

21 (i) Requires all employees to read and sign a document that explains the dangers of exposure
22 to secondhand smoke.

23 (2) "Enclosed area" means:

24 (a) All space between a floor and a ceiling that is enclosed on three or more sides by permanent
25 or temporary walls or windows, exclusive of doors or passageways, that extend from the floor to the
26 ceiling; **and**

27 (b) **All space within a vehicle that can be enclosed on all sides and is used to transport**
28 **customers for a fee.**

29 (3) "Place of employment" means every enclosed area under the control of a public or private
30 employer that employees frequent during the course of employment, including but not limited to

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 work areas, employee lounges, vehicles that are operated in the course of an employer's business
2 [*that are not operated exclusively by one employee*], rest rooms, conference rooms, classrooms, cafe-
3 terias, hallways, meeting rooms, elevators and stairways. "Place of employment" does not include a
4 private residence unless it is used as a child care facility as defined in ORS 657A.250 or a facility
5 providing adult day care as defined in ORS 410.490.

6 (4) "Public place" means any enclosed area open to the public.

7 (5) "Smoke shop" means a business that is certified with the authority as a smoke shop pursuant
8 to the rules adopted under ORS 433.847.

9 (6) "Smoking instrument" means any cigar, cigarette, pipe or other smoking equipment.

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