



34.05.99.B1 Smoking

Approved October 31, 2019
Next Scheduled Review: October 31, 2024

Rule Summary

- The Texas Division of Emergency Management (Division) has a vital interest in maintaining a healthy and safe environment for its employees and visitors, while respecting individual choice.
- This rule complies with The Texas A&M University System (A&M System) Policy 34.05, *Smoking*, and prohibits the smoking on Division Property and in Division vehicles except in posted or designated outdoor areas.

Definitions

- Division Property - any property or facilities owned, leased or operated by the Division or by The Texas A&M University System for the use of the Division.
- Division Vehicles - any vehicles owned, leased or operated by the Division or by The Texas A&M University System for the use of the Division.
- 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.

Rule

1. REQUIREMENTS

- 1.1 Smoking is prohibited on all Division property, with the following exception:

The Division Chief, or designee, may designate outdoor areas away from entryways and in accordance with local codes and ordinances where employees may smoke during their breaks. NOTE: This exception does not apply to e-cigarettes (i.e., vaping).

- 1.2 Smoking is prohibited in all Division vehicles.

2. Employees are responsible for complying with this rule. Violations of this rule may subject the employee to disciplinary action.

Related Statutes, Policies, or Requirements

- [System Policy 34.05, *Smoking*](#)
 - [Tex. Penal Code § 48.01 *Smoking Tobacco*](#)
 - [Tex. Labor Code § 411.103 *Duty of Employer to Provide Safe Workplace*](#)
 - [Title 28 Tex. Admin. Code Ch. 34 State Fire Marshal, § 34.303 Adopted Standards \(Adopts by rule applicable chapters of the National Fire Protection Association \(FPA\) Life Safety Code 101 \(2006 Edition\)\)](#)
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Contact Office

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