

Honolulu Authority for Rapid Transportation

RESOLUTION NO. 2013 - 9

**REGARDING THE SMOKE-FREE POLICY OF THE
HONOLULU AUTHORITY FOR RAPID TRANSPORTATION**

WHEREAS, the Honolulu Authority for Rapid Transportation Board (HART) finds that tobacco smoke is dangerous to human beings and a hazard to public health and welfare; and

WHEREAS, numerous scientific studies have shown secondhand smoke is dangerous to all people exposed to it, greatly increasing the risk of heart disease and lung cancer, and devastating to non-smokers with cardiovascular problems or impaired respiratory function; and

WHEREAS, the adverse health effects of secondhand smoke are recognized by numerous medical and scientific authorities, including the American Medical Association, the U.S. Surgeon General, the National Institute on Occupational Safety and Health, the National Cancer Institute, the Environmental Protection Agency, the National Academy of Sciences, the National Toxicology Program, the Center of Disease Control and Prevention, and the World Health Organization; and

WHEREAS, the safety of electronic smoking devices has not been scientifically established, and the secondhand smoke or vapor emitted from electronic smoking devices may be harmful as such devices turn nicotine and other chemicals into a vapor that is exhaled into the air; and

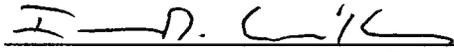
WHEREAS, HART wishes to protect transit workers and patrons from the harmful effects of tobacco smoke and from the use of electronic smoking devices;

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of HART as follows:

1. That the Smoke-Free Policy, as set forth in Exhibit A attached hereto and made a part hereof by reference, be and hereby is, adopted as the policy of HART; and
2. That the Executive Director/CEO is authorized to implement the policy described in Exhibit A and to ensure that HART patrons, staff and contractors, as appropriate, adhere to the policy; and
3. That this Resolution shall take effect immediately upon its adoption.

ADOPTED by the Board of the Honolulu Authority for Rapid Transportation on
DEC 19 2013.

Exhibit A – Smoke-Free Policy of the Honolulu Authority for Rapid Transportation



Board Chair

ATTEST:



Board Administrator

Exhibit A

SMOKE-FREE POLICY FOR THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION

I. PURPOSE

The Hawaii State Legislature and Honolulu City Council have declared that regulation of smoking is a matter of public health and welfare. To protect the public from exposure to secondhand smoke, the State has adopted legislation which prohibits the smoking of tobacco products in all enclosed and partially enclosed places open to the public, places of employment, sports arenas, and government buildings and vehicles. Similarly, the City and County of Honolulu has adopted legislation prohibiting the smoking of tobacco products in all City facilities, at bus stops and other places open to the public.

The Honolulu Authority for Rapid Transportation (HART) wishes to implement a similar ban on smoking and to ban the use of electronic smoking devices at its transit stations and facilities.

A. Policy Objectives

1. Improve the environment in and around HART transit stations and facilities.
2. Contribute to the health of rail patrons and employees at HART transit stations and facilities by eliminating the effects of secondhand smoke.
3. Ensure the safety of rail patrons and employees at HART transit stations and facilities.

B. Legal Authority

1. Hawaii Revised Statutes (HRS) § 328J-8
2. Revised Charter of Honolulu § 17-103.3(g)

II. DEFINITIONS

Electronic Smoking Device ("ESD") Any electronic product that can be used to simulate smoking in the delivery of nicotine or other substances to the person inhaling from the device, including but not limited to an electronic cigarette, electronic cigar, electronic cigarillo, or electronic pipe, and any cartridge or other component of the device or related product.

Smoking Inhaling and exhaling the fumes of burning tobacco or any other plant material, burning or carrying any lighted equipment for smoking tobacco or any other plant material, using an ESD, or the personal activity commonly known as smoking.

III. POLICY

Smoking is strictly prohibited in the following areas that are owned, operated or controlled by HART:

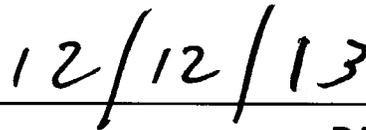
1. All spaces within any transit station, including but not limited to station plazas, ticketing areas, on stairways, escalators, concourses, bridges, or platforms;
2. Within 20 feet of transit station entrances and exits;
3. Within 20 feet of air intake ducts and vents, and of operable windows;
4. Within 20 feet of designated pick-up and drop-off points for Kiss-and-Ride, Park-and Ride, HandiVan, HART-provided TheBus Transit Centers, bus stops, or shelters; and
5. Any area in a HART facility that has been designated by HART as a non-smoking area.

IV. IMPLEMENTATION

Pursuant to HRS § 238J-9, clearly legible signs that include the words "Smoking Prohibited by Law" or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted in and at the entrance to every HART facility or other place where smoking is regulated by this policy. Additional signs or language indicating that the use of ESDs are not allowed shall be clearly and conspicuously posted in and at the entrance to every HART facility or other place where smoking is regulated by this policy.



DANIEL A. GRABAUSKAS
EXECUTIVE DIRECTOR AND CEO



DATE

**Honolulu Authority for Rapid Transportation
STAFF SUMMARY**

TITLE: REGARDING THE SMOKE-FREE POLICY OF THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION	STAFF CONTACT: Cindy Matsushita	DATE: December 19, 2013
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Type:	Goal	Focus Area	Reference Notes
<input checked="" type="checkbox"/> Action/Approval	<input type="checkbox"/> Project Delivery	<input checked="" type="checkbox"/> Livability/Land Use	
<input type="checkbox"/> Information	<input checked="" type="checkbox"/> Service Delivery	<input type="checkbox"/> Partnerships	
<input type="checkbox"/> Follow-up	<input type="checkbox"/> Resource Stewardship	<input checked="" type="checkbox"/> Agency Admin.	

1. Purpose:
To establish an anti-smoking policy on HART premises.

2. Background/Justification
To protect transit workers and patrons from the harmful effects of secondhand smoke, and from the use of electronic smoking devices.

3. Procurement Background
N/A

4. Financial/Budget Impact
N/A

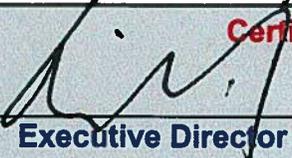
5. Policy Impact
Consistent with the policies of the State of Hawaii and the City and County of Honolulu in establishing smoke-free facilities.

6. Public Involvement
N/A

7. Alternatives
N/A

8. Exhibits
Exhibit A –Smoke-Free Policy of the Honolulu Authority for Rapid Transportation

Certified and Recommended by:



Executive Director and CEO

12/12/13

Date