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DATE

RE: Public Smoking

Dear Licensee:

On behalf of the Maine Health Inspection Program, I am writing to remind all licensees that you and your businesses remain subject to a variety of applicable laws pertaining to smoking in public areas.

The Maine Public Smoking Act prohibits smoking of any kind – including, but not limited to, cigarettes, cigars, electronic cigarettes, and marijuana – in all enclosed areas of public places and all rest rooms made available to the public. 22 M.R.S. § 1542(1). Additionally, smoking is prohibited in an outdoor eating area if the outdoor eating area or any portion thereof is open and available for dining and beverage service. 22 MRS §§1542(1), 1550. An outdoor eating area means a patio, deck, or other property that is partially enclosed or open to the sky that is permitted for outdoor eating or drinking under the control of an eating establishment. 22 M.R.S. § 1550. The Maine Public Smoking Act requires businesses to post conspicuous signs informing the public that no smoking is allowed in these areas. 22 MRS §1543.

Please do not hesitate to reach out to your Health Inspector should you need further clarification regarding your obligations under these provisions.

Very sincerely yours,

A handwritten signature in cursive script, appearing to read "Margaret Machaiek".

Margaret Machaiek  
Assistant Attorney General