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# A BILL FOR AN ACT

RELATING TO SMOKING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 328J-6, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "~~§~~328J-6~~§~~ **Presumptively reasonable distance.** (a)

4 Smoking is prohibited within a presumptively reasonable minimum  
5 distance of twenty feet from entrances, exits, windows that  
6 open, and ventilation intakes that serve an enclosed or  
7 partially enclosed area where smoking is prohibited. Owners,  
8 operators, managers, employers, or other persons who own or  
9 control a place open to the public or place of employment may  
10 seek to rebut the presumption that twenty feet is a reasonable  
11 distance by submitting an application to the department. The  
12 presumption will be rebutted if the applicant can show by clear  
13 and convincing evidence that, given the circumstances presented  
14 by the location of entrances, exits, windows that open,  
15 ventilation intakes, or other factors, smoke will not infiltrate  
16 into the place open to the public or place of employment.



1        (b) Smoking is prohibited within a presumptively  
2 reasonable minimum distance of twenty feet from all public  
3 transportation stops and stations."

4        SECTION 2. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6        SECTION 3. This Act shall take effect upon its approval.



**Report Title:**

Smoking; Public Transportation Stops and Stations

**Description:**

Prohibits smoking within a presumptively reasonable minimum distance of twenty feet from all public transportation stops and stations. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

