1. **What are e-cigarettes and unregulated nicotine delivery products?**

Electronic smoking devices, commonly referred to as electronic cigarettes or e-cigarettes, are battery operated devices that can closely resemble cigarettes, although they do not contain tobacco. People who use electronic smoking devices inhale vaporized liquid nicotine, or other liquids, created by heat from an electronic ignition system (usually a battery) and exhale the smoke (vapor) in a way that mimics smoking.

An unregulated nicotine delivery product is a product containing or delivering nicotine that is not a cigarette or tobacco product and that has not been approved or certified for sale by the United States Food and Drug Administration.

2. **Where are the use of e-cigarettes and unregulated nicotine products not allowed?**

The use of e-cigarettes is prohibited in any public place where children are lawfully permitted with the exception of certain places of employment. Examples of where they are prohibited include, but are not limited to schools, restaurants, bus shelters, parks, bowling alleys, hospitals and sporting events. This regulation is not intended to prohibit the use of e-cigarettes at home or other places which are not considered public.

There is no restriction on where unregulated nicotine products can be used.

3. **Will the new regulation ban the sale of e-cigarettes and unregulated nicotine products?**

This regulation makes it illegal for businesses to sell e-cigarettes or unregulated nicotine products to youth under 18 years of age. However, individuals older than 18 years of age are legally allowed to purchase these products. Businesses will be responsible to verify the age of a person purchasing these products through the use of approved photo identification.

4. **I am a business owner. How do I address the use of e-cigarettes in my place of business?**

We recommend that businesses develop a policy that clearly outlines how the business will enforce the new policy. If a customer is attempting to smoke an e-cigarette indoors, and it is a public place, you or your staff must remind them of the law. While the regulation allows the use of e-cigarettes in non-public areas of the workplace, employers are not required to allow their use in the workplace.

5. **What do I do about a customer who refuses to comply?**

Use your normal protocol for addressing customers who do not comply with the rules of your establishment.
6. What if I choose not to ask customers to stop using an e-cigarette where they are prohibited?

An employee or member of the public may contact the Tobacco Prevention & Control Program at the Tacoma-Pierce County Health Department to file a complaint. The Health Department will then follow-up on the complaint to determine if your business is in compliance with the law.

7. How will the law be enforced?

Compliance with this regulation is the responsibility of the owner, manager, operator or another person in charge of an area open to the public or place of employment. The Tacoma-Pierce County Health Department will enforce the law.

8. How do I report violations to the law in Pierce County, or get more information about the law?

You can report violations that occur in Pierce County, Washington by calling (253) 798-6400 and leave a message, describing the name and address of the business and the time of the violation. If you provide us with your name and phone number, we may contact you for more information. Additionally, you may file a complaint online at: http://www.tpchd.org/health-wellness-1/tobacco-prevention-control/smoking-in-public-places/smoking-complaint-reporting-form/. Your report of violations is confidential. Calls and web complaints are retrieved each business day.

9. What are the penalties for individuals and businesses?

Businesses and individuals that violate the law may be fined up to $100 per day as long as the violation is allowed to continue. In addition to the fine, a re-inspection fee will be charged at the rate of $145 per hour for the inspector’s time when a follow-up inspection indicates there is a violation.

10. I am a business owner. Are e-cigarettes allowed in the worksite?

Currently, smoking e-cigarettes and the use of unregulated nicotine delivery products are allowed in non-public areas of worksites, at the discretion of the employer. Employers may choose to develop an internal policy which prohibits their use by employees.

11. When will the new Tacoma-Pierce County regulation take effect?

The regulation became effective on June 2, 2011.