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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3653

03/29/2016 Authored by Bly

The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to health; clarifying ban of smoking in vehicles for work; amending
1.3 Minnesota Statutes 2014, sections 144.413, subdivision 1b; 144.414, subdivision
1.4 4.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2014, section 144.413, subdivision 1b, is amended to read:

1.7 Subd. 1b. **Place of employment.** "Place of employment" means any indoor area
1.8 at which two or more individuals perform any type of a service for consideration of
1.9 payment under any type of contractual relationship, including, but not limited to, an
1.10 employment relationship with or for a private corporation, partnership, individual, or
1.11 government agency. Place of employment includes any indoor area where two or more
1.12 individuals gratuitously perform services for which individuals are ordinarily paid. A
1.13 place of employment includes, but is not limited to, public conveyances, factories,
1.14 warehouses, offices, retail stores, restaurants, bars, banquet facilities, theaters, food stores,
1.15 banks, financial institutions, employee cafeterias, lounges, auditoriums, gymnasiums,
1.16 restrooms, elevators, hallways, museums, libraries, bowling establishments, employee
1.17 medical facilities, and rooms or areas containing photocopying equipment or other office
1.18 equipment used in common. Vehicles used in whole or in part for work purposes are
1.19 places of employment ~~during hours of operation if more than one person is present~~. An
1.20 area in which work is performed in a private residence is a place of employment during
1.21 hours of operation if:

1.22 (1) the homeowner uses the area exclusively and regularly as a principal place of
1.23 business and has one or more on-site employees; or

2.1 (2) the homeowner uses the area exclusively and regularly as a place to meet or deal
2.2 with patients, clients, or customers in the normal course of the homeowner's trade or
2.3 business.

2.4 Sec. 2. Minnesota Statutes 2014, section 144.414, subdivision 4, is amended to read:

2.5 Subd. 4. **Public transportation vehicles.** Smoking is prohibited in public
2.6 transportation vehicles ~~except that the driver of a public transportation vehicle may smoke~~
2.7 ~~when the vehicle is being used for personal use. For purposes of this subdivision, "personal~~
2.8 ~~use" means that the public transportation vehicle is being used by the driver for private~~
2.9 ~~purposes and no for-hire passengers are present. If a driver smokes under this subdivision,~~
2.10 ~~the driver must post a conspicuous sign inside the vehicle to inform passengers.~~