

A new Part 386 is added to 9 NYCRR as follows.

Part 386

NO SMOKING AREAS

§ 386.1 No Smoking Areas

(a) Smoking of tobacco or any other product is prohibited in the following outdoor locations under the jurisdiction of the office:

(1) any No Smoking Area designated by the commissioner. Examples of areas that may be designated as No Smoking Areas include: playgrounds, swimming pool decks, beaches, sport or athletic fields and courts, recreational facilities, picnic shelters, fishing piers, marinas, historic sites, group camps, park preserves, gardens, concessions, educational programming, or other areas where visitors congregate, including within fifty feet of entrances to buildings; and

(2) each state park in New York City, with the exception that the commissioner may allow smoking in limited areas within each park.

(b) The commissioner shall approve and periodically update a statewide list of designated No Smoking Areas that shall be published on the office's public website.

(c) The office shall install signage at each designated No Smoking Area, informing the public that smoking is prohibited in such areas.