

Smoking Ban in Work Vehicles

Smoking at work was banned in Wales from 2 April this year and will be banned in England & Northern Ireland from 1 July. From those dates onwards, it will be an offence to smoke in enclosed public spaces and workplaces, including most vehicles used for work.

Unlike in Scotland, cars will be covered by the ban as well as vans, HGVs and public transport vehicles.

"Smokefree" vehicles

The law will require any vehicle that is used by more than one person in the course of paid or voluntary work to be "smokefree." It will be the legal responsibility of the driver of the vehicle to prevent people from smoking in it.

Smokefree vehicles will have to display no-smoking signs in the passenger compartment. It will be illegal to smoke in them at any time – not just when there is more than one person in the vehicle.

Enforcing the law and penalties

Local councils will enforce the new law and will have the power to appoint enforcement officers, such as environmental health officers, trading standards or local community support officers.

If you ignore the smokefree rules you will be liable to get a fixed penalty of £50. This will be discounted to £30 if the fine is paid within 15 days. If taken to court a maximum fine of £1000 could be applied.

Your employer should ensure stickers are provided if your vehicle is covered by the regulation. The sticker must be displayed so it is visible to occupants of the vehicle and also from outside. (NB: at this stage there is no specific guidance regarding placement of the sticker).

Exempt vehicles

If you privately own a vehicle it will not have to be smokefree – unless it is regularly used to carry passengers on work trips or if business use exceeds private mileage.

Drivers can smoke in company-owned or private convertibles, providing that the roof is fully folded down and stowed.



The law in Scotland

Scotland's smoking law, which came into force in March 2006, allows smoking in company cars as well as private cars. All other commercial and public vehicles must be smokefree. No-smoking signs in vehicles must display the holder of a post (e.g. the manager) to whom a complaint may be made by anyone who observes someone smoking. Visit www.clearingtheairscotland.com for more information.

Frequently Asked Questions

Does the law just apply to cigarettes?

No, it covers all substances that a person can smoke. These include manufactured cigarettes, hand-rolled cigarettes, pipes, cigars, herbal cigarettes and water pipes.

Does the new smokefree law apply to vehicles used for voluntary work?

Yes, the new law applies to all work, including voluntary work.

If I occasionally use my private cars for business trips, does it need to be smokefree?

No, vehicles used primarily for private purposes will not need to be smokefree.

For more information speak to your Fleet Manager or go to the following:

England: www.smokefreeengland.co.uk or call the Smokefree England information line on 0800 169 1697

Wales: www.smokingbanwales.co.uk

Scotland: www.clearingtheairscotland.com