

Senate Bill 387

Sponsored by Senator MORRISETTE

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Creates offense of smoking in motor vehicle while person under age of 16 is in motor vehicle.
Punishes by maximum fine of \$50.

A BILL FOR AN ACT

1
2 Relating to smoking in a motor vehicle.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2009 Act is added to and made a part of the Oregon Vehicle**
5 **Code.**

6 **SECTION 2. (1) A person commits the offense of smoking in a motor vehicle if the person**
7 **smokes cigars, cigarettes or tobacco in any form in a motor vehicle while a person under 16**
8 **years of age is in the motor vehicle.**

9 **(2) Notwithstanding ORS 810.410, a police officer may not issue a citation for a violation**
10 **of this section unless the driver has been detained for another traffic violation or another**
11 **offense.**

12 **(3) The offense described in this section, smoking in a motor vehicle, is a traffic violation**
13 **punishable by a fine not exceeding \$50.**
14 _____

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.