

Enrolled
Senate Bill 444

Sponsored by Senator STEINER HAYWARD, Representatives THOMPSON, CLEM; Senators BOQUIST, BURDICK, DINGFELDER, MONNES ANDERSON, MONROE, ROSENBAUM, SHIELDS, Representatives GELSER, GREENLICK, KENY-GUYER, TOMEI (Presession filed.)

CHAPTER

AN ACT

Relating to smoking in a motor vehicle.

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

SECTION 1. Section 2 of this 2013 Act is added to and made a part of the Oregon Vehicle Code.

SECTION 2. (1)(a) A person commits the offense of smoking in a motor vehicle if the person smokes in a motor vehicle while a person under 18 years of age is in the motor vehicle.

(b) As used in this subsection, "smokes" means to inhale, exhale, burn or carry a lighted cigarette, cigar, pipe, weed, plant, regulated narcotic or other combustible substance.

(2) Notwithstanding ORS 810.410, a police officer may enforce this section only if the police officer has already stopped and detained the driver operating the motor vehicle for a separate traffic violation or other offense.

(3) Smoking in a motor vehicle is a:

(a) Class D traffic violation for a first offense.

(b) Class C traffic violation for a second or subsequent offense.

Passed by Senate March 13, 2013

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House June 3, 2013

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2013

Approved:

.....M,....., 2013

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2013

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Kate Brown, Secretary of State