

**As Introduced**

**131st General Assembly  
Regular Session  
2015-2016**

**S. B. No. 89**

**Senator Tavares**

**A BILL**

To enact section 4511.702 of the Revised Code to 1  
prohibit smoking in a motor vehicle in which a 2  
child under six years of age is a passenger. 3

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 4511.702 of the Revised Code be 4  
enacted to read as follows: 5

**Sec. 4511.702.** (A) As used in this section, "smoke" means 6  
to inhale, exhale, burn, or carry any lighted cigar, cigarette, 7  
pipe, or other lighted smoking device for burning tobacco or any 8  
other plant. 9

(B) No person shall smoke in any motor vehicle in which a 10  
child under six years of age is a passenger. 11

(C) (1) Except as provided in division (C) (2) of this 12  
section, whoever violates this section shall be fined five 13  
hundred dollars. 14

(2) If the offender previously has been convicted of or 15  
pleaded guilty to a violation of this section, the offender 16  
shall be fined an amount equal to five hundred dollars plus two 17  
hundred fifty dollars for each subsequent violation of this 18

<u>section.</u>	19
<u>(D) The offense established under division (B) of this</u>	20
<u>section is a strict liability offense and section 2901.20 of the</u>	21
<u>Revised Code does not apply.</u>	22