

As Introduced

**128th General Assembly
Regular Session
2009-2010**

S. B. No. 135

Senator Miller, R.

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A B I L L

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 to 6
inhale, exhale, burn, or carry any lighted cigar, cigarette, pipe, 7
or other lighted smoking device for burning tobacco or any other 8
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 otherwise provided in division (C)(2) of 12
this 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 shall 16
be fined five hundred dollars plus two hundred fifty dollars for 17
each subsequent violation of this section. 18