

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**S. B. No. 106**

**Senator Tavares**

**Cosponsors: Senators Thomas, Yuko, Brown**

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**A BILL**

To enact section 4511.80 of the Revised Code to  
prohibit smoking in a motor vehicle in which a  
child under six years of age is a passenger.

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

**Section 1.** That section 4511.80 of the Revised Code be  
enacted to read as follows:

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**Sec. 4511.80.** (A) As used in this section, "smoke" means  
to inhale, exhale, burn, or carry any lighted cigar, cigarette,  
pipe, or other lighted smoking device for burning tobacco or any  
other plant.

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

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

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(2) If the offender previously has been convicted of or  
pleaded guilty to a violation of this section, the offender  
shall be fined an amount equal to five hundred dollars plus two

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| <u>hundred fifty dollars for each subsequent violation of this</u>      | 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 |