

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 HOUSE BILL 1506

By: Virgin

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5
6 AS INTRODUCED

7 An Act relating to tobacco use; making certain acts
8 unlawful; providing penalties; prohibiting certain
9 enforcement practices; defining terms; providing for
10 codification; and providing an effective date.

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 1248 of Title 21, unless there
14 is created a duplication in numbering, reads as follows:

15 A. It shall be unlawful for the operator or passenger of a
16 motor vehicle to smoke cigarettes, pipes or cigars if a child is
17 also present in the motor vehicle.

18 B. Any person who is convicted of violating the provisions of
19 this section shall be subject to a fine of not less than One Hundred
20 Dollars (\$100.00).

21 C. No law enforcement officer shall make routine stops of
22 motorists for the purpose of enforcing this act.

23 D. For purposes of this section:
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1 1. "Child" shall mean any person who is thirteen (13) years of
2 age or younger; and

3 2. "Motor vehicle" shall mean any type of conveyance or device
4 in, upon or by which a person or property is or may be transported
5 from one location to another upon the avenues of public access
6 within this state. Motor vehicle shall include the passenger
7 compartment of pickups, vans, minivans and sport utility vehicles.
8 Motor vehicle shall not include trucks, truck-tractors, recreational
9 vehicles, motorcycles or motorized bicycles.

10 SECTION 2. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 1-1528 of Title 63, unless there
12 is created a duplication in numbering, reads as follows:

13 A. It shall be unlawful for the operator or passenger of a
14 motor vehicle to smoke cigarettes, pipes or cigars if a child is
15 also present in the motor vehicle.

16 B. Any person who is convicted of violating the provisions of
17 this section shall be subject to a fine of not less than One Hundred
18 Dollars (\$100.00).

19 C. No law enforcement officer shall make routine stops of
20 motorists for the purpose of enforcing this act.

21 D. For purposes of this section:

22 1. "Child" shall mean any person who is thirteen (13) years of
23 age or younger; and
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1 2. "Motor vehicle" shall mean any type of conveyance or device
2 in, upon or by which a person or property is or may be transported
3 from one location to another upon the avenues of public access
4 within this state. Motor vehicle shall include the passenger
5 compartment of pickups, vans, minivans and sport utility vehicles.
6 Motor vehicle shall not include trucks, truck-tractors, recreational
7 vehicles, motorcycles or motorized bicycles.

8 SECTION 3. This act shall become effective November 1, 2015.

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10 55-1-5699 GRS 01/18/15

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