
HOUSE BILL 1151

State of Washington 61st Legislature 2009 Regular Session

By Representatives Williams, Simpson, Hunt, Roberts, Eddy, and Green

Read first time 01/14/09. Referred to Committee on Transportation.

1 AN ACT Relating to operating a motor vehicle while smoking; adding
2 a new section to chapter 46.61 RCW; creating a new section; prescribing
3 penalties; and providing an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.61 RCW
6 to read as follows:

7 (1) A person who smokes a lighted pipe, cigar, or cigarette in a
8 moving or parked motor vehicle containing any passengers under the age
9 of eighteen years is guilty of a traffic infraction.

10 (2) Enforcement of this section by law enforcement officers may be
11 accomplished only as a secondary action when a driver of a motor
12 vehicle has been detained for a suspected violation of this title or an
13 equivalent local ordinance or some other offense.

14 (3) Infractions under this section shall not become part of the
15 driver's record under RCW 46.52.101 and 46.52.120. Additionally, a
16 finding that a person has committed a traffic infraction under this
17 section shall not be made available to insurance companies or
18 employers.

1 NEW SECTION. **Sec. 2.** For the first six months after the effective
2 date of this act, law enforcement officers may only issue verbal
3 warnings for violations of section 1 of this act.

4 NEW SECTION. **Sec. 3.** This act takes effect August 1, 2009.

--- END ---