

SECOND REGULAR SESSION

HOUSE BILL NO. 1689

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CHIPMAN.

4740H.021

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 304, RSMo, by adding thereto one new section relating to the offense of smoking in a motor vehicle, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 304, RSMo, is amended by adding thereto one new section, to be known as section 304.900, to read as follows:

304.900. 1. (1) A person commits the offense of smoking in a motor vehicle if the person smokes in a motor vehicle while a person under eighteen years of age is present in the motor vehicle.

(2) As used in this section, "smoke" means to inhale, exhale, burn, or carry a lighted cigarette, cigar, pipe, or other combustible substance.

2. Notwithstanding any provision of law to the contrary, a law enforcement officer may enforce the provisions of this section only if the law enforcement officer has already stopped and detained the driver operating the motor vehicle for a separate traffic violation or other offense.

3. Any person that violates the provisions of subsection 1 of this section is guilty of an infraction for which a fine not to exceed twenty dollars may be imposed.

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EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.