

SB1221



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB1221

Introduced 2/7/2017, by Sen. Ira I. Silverstein

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-1432 new

Amends the Illinois Vehicle Code. Defines the term, "smoking." Prohibits operation of a motor vehicle while a person is smoking in the vehicle and a person under the age of 18 is present in the vehicle. Provides that police officers may not stop or detain a motor vehicle or its driver for violation or suspected violation of this Section. Makes a violation of this Section a petty offense with a fine not to exceed \$100.

LRB100 09102 AXK 19256 b

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by adding
5 Section 11-1432 as follows:

6 (625 ILCS 5/11-1432 new)

7 Sec. 11-1432. Prohibit smoking in a motor vehicle with a
8 minor present.

9 (a) For purposes of this Section:

10 "Smoking" means to inhale, exhale, burn, or carry a lighted
11 cigarette, cigar, pipe, weed, plant, regulated narcotic, or
12 other combustible substance.

13 (b) A person shall not operate or be in actual physical
14 control of a motor vehicle while a person in the motor vehicle
15 is smoking if a person under 18 years of age is in the motor
16 vehicle. This provision does not apply to the operator of a
17 motorcycle or a motor vehicle with a convertible or removable
18 roof in top-down, topless, or open air mode.

19 (c) A police officer may not stop or detain a motor vehicle
20 or its driver solely for a violation or suspected violation of
21 this Section.

22 (d) A violation of this Section is a petty offense with a
23 fine not to exceed \$100.