

HB2276



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2276

by Rep. Jonathan Carroll

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-1432 new

Amends the Illinois Vehicle Code. Provides that a person shall not smoke in a motor vehicle containing a person under 18 years of age, regardless of whether the vehicle is in motion, at rest, or has its windows down. Defines smoking as inhaling, exhaling, burning, or carrying a lighted cigarette, cigar, pipe, weed, plant, regulated narcotic, or other combustible substance. Provides that a police officer may not stop a motor vehicle solely for a violation of the Section. Provides that a violation is a petty offense with a maximum fine of \$100 and that, for a second or subsequent offense, the fine is not to exceed \$250.

LRB101 08230 TAE 53296 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 "Smoke" means to inhale, exhale, burn, or carry a lighted
11 cigarette, cigar, pipe, weed, plant, regulated narcotic, or
12 other combustible substance.

13 "Vehicle" has the same meaning as defined in Section 1-217
14 of this Code and does not include motorcycles as defined in
15 Section 1-147.

16 (b) A person shall not smoke in a motor vehicle, whether it
17 is in motion or at rest, if a person under 18 years of age is in
18 the vehicle, regardless of whether the vehicle's windows are
19 open.

20 (c) A police officer may not stop or detain a motor vehicle
21 or its driver nor inspect or search the vehicle, the contents
22 of the vehicle, or the operator or passenger of the vehicle
23 solely for a violation or suspected violation of this Section.

1 (d) A violation of this Section is a petty offense
2 punishable by a fine not to exceed \$100 and, for a second or
3 subsequent offense, a fine not to exceed \$250.