

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. This subsection does not apply to a person who is the
20 sole occupant of a vehicle.

21 (c) A police officer may not stop or detain a motor vehicle
22 or its driver nor inspect or search the vehicle, the contents
23 of the vehicle, or the operator or passenger of the vehicle

1 solely for a violation or suspected violation of this Section.

2 (d) A violation of this Section is a petty offense

3 punishable by a fine not to exceed \$100 and, for a second or

4 subsequent offense, a fine not to exceed \$250.