

2007 -- H 5209

LC00954

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - RHODE ISLAND PROTECTION  
FROM SECONDHAND SMOKE FOR CHILDREN ACT OF 2007

Introduced By: Representatives Brien, Baldelli-Hunt, Lewiss, Kilmartin, and Gallison

Date Introduced: January 25, 2007

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 31 of the General Laws entitled "MOTOR AND OTHER  
2 VEHICLES" is hereby amended by adding thereto the following chapter:

3 CHAPTER 51

4 THE RHODE ISLAND PROTECTION FROM SECONDHAND SMOKE FOR CHILDREN

5 ACT OF 2007

6 **31-51-1. Short title.** -- This chapter shall be known and may be cited as the Rhode Island  
7 "Protection From Secondhand Smoke For Children Act of 2007."

8 **31-51-2. Definitions.** -- For the purposes of this chapter "motor vehicle" means any  
9 motor vehicle, except a school bus, church bus, and other public conveyance, which is required  
10 by federal or state law or regulation to be equipped with a passenger restraint system.

11 **31-51-3. Prohibition of smoking with child passenger.** -- Smoking, as defined in  
12 section 23-20.10-2, shall be prohibited in all motor vehicles in which a child is restrained or  
13 required to be restrained pursuant to subsection 31-22-22(a).

14 **31-51-4. Penalties.** -- (a) Any person who violates the provisions of this chapter shall,  
15 upon conviction, be punished by a fine not to exceed twenty five dollars (\$25.00).

16 (b) If a person is convicted, pleads guilty, pleads nolo contendere, or forfeits bond for  
17 violation of this chapter, no court costs or other costs or fees shall be assessed.

18 (c) Any person who proves to the court that he or she has entered into a smoking

1 [cessation program may have his or her fine eliminated for a first offense violation of this chapter.](#)

2 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - RHODE ISLAND PROTECTION  
FROM SECONDHAND SMOKE FOR CHILDREN ACT OF 2007

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1           This act would create the "Rhode Island Protection From Secondhand Smoke For  
2 Children Act of 2007" which would prohibit smoking in any vehicle in which a child is required  
3 to be restrained in a child passenger safety seat.

4           This act would take effect upon passage.

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