



House of Representatives

General Assembly

File No. 674

January Session, 2015

Substitute House Bill No. 6285

House of Representatives, April 16, 2015

The Committee on Public Health reported through REP. RITTER of the 1st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING SMOKING IN MOTOR VEHICLES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) As used in this section,
2 "smoke" or "smoking" means the lighting or carrying of a lighted
3 cigarette, cigar, pipe or similar device.

4 (b) No person shall smoke in a motor vehicle, as defined in section
5 14-1 of the general statutes, when a child who is using or required to
6 use a child restraint system under subsection (d) of section 14-100a of
7 the general statutes is present in such vehicle.

8 (c) Any person who violates any provision of subsection (b) of this
9 section shall, for a first offense, be issued a written warning for such
10 violation, and for any subsequent offense, shall have committed an
11 infraction.

12 (d) Smoking in a motor vehicle in violation of this section shall not
13 constitute probable cause for a law enforcement official to conduct a

14 search of such vehicle and its contents.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

PH *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 16 \$	FY 17 \$
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill creates a new offense of smoking in a vehicle when a child in a child restraint system is in the vehicle and makes violation of this offense an infraction, subject to a fine of approximately \$100. First offenders will receive a warning. At this time it is not known the number of drivers who will be charged with this offense. However, Maine implemented this law in 2008 and has reported very minimal citations for the offense.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis

sHB 6285

AN ACT CONCERNING SMOKING IN MOTOR VEHICLES.

SUMMARY:

This bill prohibits a person from lighting or carrying a lighted cigarette, cigar, pipe, or similar device in a motor vehicle when a child who is using or required to use a child restraint system is in the vehicle.

Under the bill, a first time violator receives a written warning. A subsequent violation is an infraction. The bill specifies that a violation does not constitute probable cause for a law enforcement official to search the vehicle and its contents.

By law, people who transport children in motor vehicles must use child restraint systems if they (1) are under age seven or (2) weigh less than 60 pounds. Children ages seven and older who weigh at least 60 pounds must use either child restraint systems or seat belts (CGS § 14-100a).

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 21 Nay 4 (03/30/2015)