



General Assembly

January Session, 2015

Committee Bill No. 6285

LCO No. 5783



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

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 have committed an infraction.

10 (d) Smoking in a motor vehicle in violation of this section shall not
11 constitute probable cause for a law enforcement official to conduct a
12 search of such vehicle and its contents.

13 Sec. 2. Subsection (b) of section 51-164n of the general statutes is
14 repealed and the following is substituted in lieu thereof (*Effective from*

15 *passage*):

16 (b) Notwithstanding any provision of the general statutes, any
17 person who is alleged to have committed (1) a violation under the
18 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-
19 283, 7-325, 7-393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-
20 198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292, 12-314b or 12-326g,
21 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section
22 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-
23 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-
24 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-
25 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or
26 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,
27 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)
28 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,
29 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b
30 or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-
31 80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152,
32 14-153 or 14-163b, a first violation as specified in subsection (f) of
33 section 14-164i, section 14-219 as specified in subsection (e) of said
34 section, subdivision (1) of section 14-223a, section 14-240, 14-249, 14-
35 250 or 14-253a, subsection (a) of section 14-261a, section 14-262, 14-264,
36 14-267a, 14-269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) or (h)
37 of section 14-283, section 14-291, 14-293b, 14-296aa, 14-319, 14-320, 14-
38 321, 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3) of
39 section 14-386a, section 15-25 or 15-33, subdivision (1) of section 15-97,
40 subsection (a) of section 15-115, section 16-44, 16-256e, 16a-15 or 16a-22,
41 subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145, 17a-149,
42 17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137 or 17b-734,
43 subsection (b) of section 17b-736, section 19a-30, 19a-33, 19a-39 or 19a-
44 87, subsection (b) of section 19a-87a, section 19a-91, 19a-105, 19a-107,
45 19a-113, 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287, 19a-297,
46 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340, 19a-425,
47 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-249, 20-257, 20-265, 20-324e, 20-
48 341l, 20-366, 20-597, 20-608, 20-610, 21-1, 21-30, 21-38, 21-39, 21-43, 21-

49 47, 21-48, 21-63 or 21-76a, subdivision (1) of section 21a-19, section 21a-
50 21, subdivision (1) of subsection (b) of section 21a-25, section 21a-26 or
51 21a-30, subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63
52 or 21a-77, subsection (b) of section 21a-79, section 21a-85 or 21a-154,
53 subdivision (1) of subsection (a) of section 21a-159, subsection (a) of
54 section 21a-279a, section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-29, 22-34,
55 22-35, 22-36, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-49,
56 22-54, 22-89, 22-90, 22-98, 22-99, 22-100, 22-111o, 22-167, 22-279, 22-
57 280a, 22-318a, 22-320h, 22-324a, 22-326 or 22-342, subsection (b), (e) or
58 (f) of section 22-344, section 22-359, 22-366, 22-391, 22-413, 22-414, 22-
59 415, 22a-66a or 22a-246, subsection (a) of section 22a-250, subsection (e)
60 of section 22a-256h, section 22a-363 or 22a-381d, subsections (c) and (d)
61 of section 22a-381e, section 22a-449, 22a-461, 23-37, 23-38, 23-46 or 23-
62 61b, subsection (a) or subdivision (1) of subsection (c) of section 23-65,
63 section 25-37 or 25-40, subsection (a) of section 25-43, section 25-43d,
64 25-135, 26-16, 26-18, 26-19, 26-21, 26-31, 26-31c, 26-40, 26-40a, 26-42, 26-
65 49, 26-54, 26-55, 26-56, 26-58 or 26-59, subdivision (1) of subsection (d)
66 of section 26-61, section 26-64, subdivision (1) of section 26-76, section
67 26-79, 26-87, 26-89, 26-91, 26-94, 26-97, 26-98, 26-104, 26-105, 26-107, 26-
68 117, 26-128, 26-131, 26-132, 26-138 or 26-141, subdivision (1) of section
69 26-186, section 26-207, 26-215, 26-217 or 26-224a, subdivision (1) of
70 section 26-226, section 26-227, 26-230, 26-232, 26-244, 26-257a, 26-260,
71 26-276, 26-284, 26-285, 26-286, 26-288, 26-294, 28-13, 29-6a, 29-25, 29-
72 109, 29-143o, 29-143z or 29-156a, subsection (b), (d), (e) or (g) of section
73 29-161q, section 29-161y or 29-161z, subdivision (1) of section 29-198,
74 section 29-210, 29-243 or 29-277, subsection (c) of section 29-291c,
75 section 29-316, 29-318, 29-381, 30-48a, 30-86a, 31-3, 31-10, 31-11, 31-12,
76 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32, 31-36, 31-38,
77 31-40, 31-44, 31-47, 31-48, 31-51, 31-52, 31-52a or 31-54, subsection (a) or
78 (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or
79 31-134, subsection (i) of section 31-273, section 31-288, subdivision (1)
80 of section 35-20, section 36a-787, 42-230, 45a-283, 45a-450, 45a-634 or
81 45a-658, subdivision (13) or (14) of section 46a-54, section 46a-59, 46b-
82 22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16, 53-133, 53-199, 53-212a,

83 53-249a, 53-252, 53-264, 53-280, 53-302a, 53-303e, 53-311a, 53-321, 53-
 84 322, 53-323, 53-331 or 53-344, subsection (c) of section 53-344b, [or]
 85 section 53-450 or section 1 of this act, or (2) a violation under the
 86 provisions of chapter 268, or (3) a violation of any regulation adopted
 87 in accordance with the provisions of section 12-484, 12-487 or 13b-410,
 88 or (4) a violation of any ordinance, regulation or bylaw of any town,
 89 city or borough, except violations of building codes and the health
 90 code, for which the penalty exceeds ninety dollars but does not exceed
 91 two hundred fifty dollars, unless such town, city or borough has
 92 established a payment and hearing procedure for such violation
 93 pursuant to section 7-152c, shall follow the procedures set forth in this
 94 section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	51-164n(b)

Statement of Purpose:

To protect children from secondhand smoke while riding in a motor vehicle.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

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 REP. BARAM, 15th Dist.; REP. BECKER, 19th Dist.
 REP. CAMILLO, 151st Dist.; SEN. CRISCO, 17th Dist.
 REP. CURREY, 11th Dist.; SEN. FONFARA, 1st Dist.
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 REP. HAMPTON, 16th Dist.; REP. HEWETT, 39th Dist.
 SEN. KENNEDY, 12th Dist.; REP. KINER, 59th Dist.
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 REP. TONG, 147th Dist.; REP. TWEEDIE, 13th Dist.
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REP. SCANLON, 98th Dist.; REP. ACKERT, 8th Dist.
REP. MUSHINSKY, 85th Dist.; REP. REED, 102nd Dist.
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REP. SRINIVASAN, 31st Dist.; REP. RYAN, 139th Dist.
REP. MILLER, 36th Dist.; REP. ZONI, 81st Dist.
REP. MILLER P., 145th Dist.; REP. VAIL, 52nd Dist.
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H.B. 6285