

As Introduced

**133rd General Assembly
Regular Session
2019-2020**

S. B. No. 78

Senator Maharath

A BILL

To enact section 4511.80 of the Revised Code to
prohibit smoking in a motor vehicle if a child
under six is a passenger.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4511.80 of the Revised Code be
enacted to read as follows:

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Sec. 4511.80. (A) As used in this section, "smoke" means
to inhale, exhale, burn, or carry any lighted cigar, cigarette,
pipe, or other lighted smoking device for burning tobacco or any
other plant.

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(B) No person shall smoke in any motor vehicle in which a
child under six years of age is a passenger.

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(C) (1) Except as provided in division (C) (2) of this
section, whoever violates this section shall be fined five
hundred dollars.

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(2) If the offender previously has been convicted of or
pleaded guilty to a violation of this section, the offender
shall be fined an amount equal to five hundred dollars plus two
hundred fifty dollars for each subsequent violation of this

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<u>section.</u>	19
<u>(D) The offense established under division (B) of this</u>	20
<u>section is a strict liability offense and section 2901.20 of the</u>	21
<u>Revised Code does not apply.</u>	22