

As Introduced

134th General Assembly

Regular Session

2021-2022

S. B. No. 82

Senator Maharath

Cosponsors: Senators Fedor, Thomas

A BILL

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

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:

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.

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

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

(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

<u>hundred fifty dollars for each subsequent violation of this</u>	18
<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