

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY

—
S.P. 313 - L.D. 1081

An Act Regarding Smoking in Vehicles When a Minor Is Present

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 29-A MRSA §2120, as enacted by PL 2017, c. 165, §9, is amended to read:

§2120. Smoking in vehicles when minor ~~under 16 years of age~~ is present

1. Definition. As used in this section, unless the context otherwise indicates, "smoking" means inhaling, exhaling, burning or carrying a lighted cigarette, cigar, pipe, weed, plant, regulated narcotic or other combustible substance.

2. Prohibition. Smoking is prohibited in a motor vehicle by the operator or a passenger when a ~~person who has not attained 16 years of age~~ minor is present in that motor vehicle, regardless of whether the motor vehicle's windows are open.

3. Prohibition on inspection or search. A motor vehicle, the contents of the motor vehicle or the operator or a passenger in the motor vehicle may not be inspected or searched solely because of a violation of this section.

4. Penalty. A person who violates subsection 2 commits a traffic infraction for which a fine of \$50 must be adjudged.