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Date: (Filing No. S- )

**VETERANS AND LEGAL AFFAIRS**

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**STATE OF MAINE  
SENATE  
129TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 313, L.D. 1081, Bill, “An Act To Impose Further Restrictions on where Marijuana May Be Smoked”

Amend the bill by striking out the title and substituting the following:

**'An Act Regarding Smoking in Vehicles When a Minor Is Present'**

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'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.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**COMMITTEE AMENDMENT**

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**SUMMARY**

This amendment changes the title of and replaces the bill. Under the motor vehicle laws, smoking in a motor vehicle by the operator or a passenger is prohibited when a person who has not attained 16 years of age is present in the motor vehicle. The amendment amends that prohibition to provide that smoking in a motor vehicle by the operator or a passenger is prohibited when a minor is present in the motor vehicle. Under the motor vehicle laws, “minor” is defined as a person who has not attained 18 years of age.