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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-SIXTH
SESSION**

HOUSE FILE No. 379

January 29, 2009

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The bill was read for the first time and referred to the Committee on Health Care and Human Services Policy and Oversight

1.1 A bill for an act
1.2 relating to health; prohibiting smoking in vehicle with children; proposing coding
1.3 for new law in Minnesota Statutes, chapter 169.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **[169.472] SMOKING RESTRICTION.**

1.6 (a) Smoking is not permitted in a motor vehicle when transporting a child who is
1.7 under the age of 18 years.

1.8 (b) A peace officer may not issue a citation for a violation of this section unless the
1.9 officer lawfully stopped or detained the driver of the motor vehicle for a moving violation
1.10 as defined in section 171.04, subdivision 1.

1.11 (c) For purposes of this section, "smoking" means inhaling or exhaling smoke from
1.12 any lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product. Smoking
1.13 also includes carrying a lighted cigar, pipe, or any other lighted tobacco or plant product
1.14 intended for inhalation.

1.15 **EFFECTIVE DATE.** This section is effective August 1, 2009.