

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Buoniconti, Stephen (SEN)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act smoking in motor vehicles.

PETITION OF:

NAME:

Buoniconti, Stephen (SEN)

DISTRICT/ADDRESS:

Hampden

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S02044 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT SMOKING IN MOTOR VEHICLES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding any general or special law to the contrary, no child under the age
2 of 16 shall ride as a passenger in a motor vehicle in which the operator or other passenger is smoking
3 cigarettes, cigars, pipes or any other tobacco product.

4 SECTION 2. The operator of a motor vehicle found to be in violation of this statute shall be subject to a
5 fine of not more than \$50.00.

6 SECTION 3. A person who receives a citation for a violation of the provisions of this statute may contest
7 such citation pursuant to Section 3 of Chapter 90C of the General Laws. A violation of this section shall
8 not be deemed to be a conviction of a moving violation of the motor vehicle laws for the purpose of
9 determining surcharges on motor vehicle premiums pursuant to Section 113B of Chapter 175 of the
10 General Laws.