

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

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

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

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

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

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

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