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SENATE BILL NO. 975

Senate Amendments in [] — January 30, 2013

A *BILL to amend the Code of Virginia by adding a section numbered 46.2-112.1, relating to smoking in motor vehicles; presence of minor under age 15; civil penalty.*

Patron Prior to Engrossment—Senator Northam

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 46.2-112.1 as follows:

§ 46.2-112.1. Smoking in vehicle with a minor present; civil penalty.

A. *For the purposes of this section, "smoke" means to carry or hold any lighted pipe, cigar, or cigarette of any kind or any other lighted smoking equipment or to light or inhale or exhale smoke from a pipe, cigar, or cigarette of any kind or any other lighted smoking equipment.*

B. *It is unlawful for a person [eighteen years of age or older] to smoke in a motor vehicle, whether in motion or at rest, when a minor under the age of 15 is present in the motor vehicle. A violation of this section is punishable by a civil penalty of \$100 to be paid into the state treasury and credited to the Literary Fund. No demerit points shall be assigned under Article 19 (§ 46.2-489 et seq.) of Chapter 3 [; and no court costs shall be assessed-] for a violation of this section. A violation of this section may be charged on the uniform traffic summons form.*

ENGROSSED

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