

By Senator Garcia

40-01341-11

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1 A bill to be entitled
2 An act relating to motor vehicle operation;
3 prohibiting smoking in a motor vehicle in which
4 certain minors are passengers; providing for secondary
5 enforcement; providing penalties; providing an
6 effective date.

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8 Be It Enacted by the Legislature of the State of Florida:

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10 Section 1. (1) A person who smokes or possesses any lighted
11 tobacco product in a motor vehicle in which a minor who is
12 younger than 7 years of age or weighs less than 60 pounds is a
13 passenger commits a nonmoving violation, punishable as provided
14 in chapter 318, Florida Statutes.

15 (2) However, enforcement of this section must be
16 accomplished only as a secondary action when a driver has been
17 detained for a suspected violation of another offense.

18 Section 2. This act shall take effect July 1, 2011.