

By Senator Bean

4-00824-14

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1                   A bill to be entitled  
2           An act relating to the use of tobacco products in  
3           motor vehicles; creating s. 316.6136, F.S.;  
4           prohibiting smoking a tobacco product in a motor  
5           vehicle in which a minor is present; providing  
6           penalties; providing for secondary enforcement;  
7           providing an effective date.  
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9 Be It Enacted by the Legislature of the State of Florida:  
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11           Section 1. Section 316.6136, Florida Statutes, is created  
12 to read:

13           316.6136 Smoking in vehicle in which a minor is present;  
14 prohibition.-

15           (1) A person smoking a tobacco product in a motor vehicle  
16 in which a minor is present commits a nonmoving violation,  
17 punishable as provided in chapter 318. As used in this  
18 subsection, the term "smoking" has the same meaning as provided  
19 in s. 386.203.

20           (2) Enforcement of this section may be accomplished only as  
21 a secondary action after a driver has been detained for a  
22 suspected violation of another offense.

23           Section 2. This act shall take effect October 1, 2014.