A BILL

To enact section 4511.80 of the Revised Code to prohibit smoking in a motor vehicle if a child under six is a passenger.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4511.80 of the Revised Code be enacted to read as follows:

Sec. 4511.80. (A) As used in this section, "smoke" means to inhale, exhale, burn, or carry any lighted cigar, cigarette, pipe, or other lighted smoking device for burning tobacco or any other plant.

(B) No person shall smoke in any motor vehicle in which a child under six years of age is a passenger.

(C)(1) Except as provided in division (C)(2) of this section, whoever violates this section shall be fined five hundred dollars.

(2) If the offender previously has been convicted of or pleaded guilty to a violation of this section, the offender shall be fined an amount equal to five hundred dollars plus two hundred fifty dollars for each subsequent violation of this
section.

(D) The offense established under division (B) of this section is a strict liability offense and section 2901.20 of the Revised Code does not apply.