

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 HOUSE BILL 4002

By: Burns

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6 AS INTRODUCED

7 An Act relating to tobacco use; making certain acts
8 unlawful; providing penalties; prohibiting certain
9 enforcement practices; defining terms; providing for
10 codification; and providing an effective date.

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 1248 of Title 21, unless there
14 is created a duplication in numbering, reads as follows:

15 A. It shall be unlawful for the operator or passenger of a
16 motor vehicle to smoke cigarettes, pipes, or cigars if a child is
17 also present in the motor vehicle.

18 B. Any person who is convicted of violating the provisions of
19 this section shall be subject to a fine of not less than One Hundred
20 Dollars (\$100.00).

21 C. No law enforcement officer shall make routine stops of
22 motorists for the purpose of enforcing this section.

23 D. For purposes of this section:
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1 1. "Child" shall mean any person who is fourteen (14) years of
2 age or younger; and

3 2. "Motor vehicle" shall mean any type of conveyance or device
4 in, upon, or by which a person or property is or may be transported
5 from one location to another upon the avenues of public access
6 within this state. Motor vehicle shall include the passenger
7 compartment of pickups, vans, minivans, and sport utility vehicles.
8 Motor vehicle shall not include trucks, truck-tractors, recreational
9 vehicles, motorcycles, or motorized bicycles.

10 SECTION 2. This act shall become effective November 1, 2022.

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12 58-2-9404 CMA 12/28/21

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