

SENATE No. 1902

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act smoking in motor vehicles..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding any general or special law to the contrary, no child under
2 the age of 16 shall ride as a passenger in a motor vehicle in which the operator or other passenger
3 is smoking cigarettes, cigars, pipes or any other tobacco product.

4 SECTION 2. The operator of a motor vehicle found to be in violation of this statute shall
5 be subject to a fine of not more than \$50.00.

6 SECTION 3. A person who receives a citation for a violation of the provisions of this
7 statute may contest such citation pursuant to Section 3 of Chapter 90C of the General Laws. A
8 violation of this section shall not be deemed to be a conviction of a moving violation of the
9 motor vehicle laws for the purpose of determining surcharges on motor vehicle premiums
10 pursuant to Section 113B of Chapter 175 of the General Laws.