

2024 Regular Session

HOUSE BILL NO. 277

BY REPRESENTATIVES KERNER AND TAYLOR

MTR VEHICLE/VIOLATIONS: Prohibits smoking in an automobile when a minor is present

1 AN ACT

2 To amend and reenact R.S. 32:300.4(A), relative to the prohibition for smoking in motor
3 vehicles; to provide for the unlawfulness of smoking in a motor vehicle with a child
4 twelve and under present in the vehicle; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:300.4(A) is hereby amended and reenacted to read as follows:

7 §300.4. Smoking in motor vehicles prohibited; penalties

8 A. It shall be unlawful for the operator or any passenger in a motor vehicle
9 to smoke cigarettes, pipes, cigars, or any vaping devices in a motor vehicle,
10 passenger van, or pick-up truck, when a child who is ~~required to be restrained in a~~
11 ~~rear-facing child safety seat, a forward-facing child safety seat, a booster seat, or a~~
12 ~~motor vehicle's safety belt, as required in R.S. 32:295; younger than thirteen is also~~
13 present in such vehicle, regardless of whether windows of the motor vehicle are
14 down. For purposes of this Section, the term "smoke" shall mean ~~inhaling, exhaling,~~
15 ~~burning, or carrying~~ to inhale, to exhale, to burn, or to carry any activated aerosol or
16 vapor or any lighted cigarette, cigar, pipe, weed, plant, or other combustible
17 substance in any manner or in any form.

18 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 277 Reengrossed

2024 Regular Session

Kerner

Abstract: Prohibits smoking in a motor vehicle in the presence of a child under the age of thirteen.

Present law prohibits smoking cigarettes, pipes, cigars, or any vaping devices in a motor vehicle, passenger van, or pick-up truck by a driver or passenger when any child who is required to be restrained in a rear-facing child safety seat, a forward-facing child safety seat, a booster seat, or a motor vehicle's safety belt, as required in R.S. 32:295, is present.

Proposed law changes the prohibition in present law from any child who is required to be restrained in a rear-facing child safety seat, a forward-facing child safety seat, a booster seat, or a motor vehicle's safety belt, as required in R.S. 32:295, to any child under the age of 13.

(Amends R.S. 32:300.4(A))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Make technical changes.