

2020 Regular Session

HOUSE BILL NO. 109

BY REPRESENTATIVES MARINO, ADAMS, BACALA, BRYANT, CARPENTER,
ROBBY CARTER, CORMIER, COX, FREIBERG, GREEN, ILLG, JONES,
LARVADAIN, MINCEY, MOORE, SELDERS, AND STAGNI

1 AN ACT

2 To amend and reenact R.S. 32:300.4(A), relative to smoking in a motor vehicle; to prohibit
3 the use of any vaping device in a motor vehicle when a child is present in the
4 vehicle; to expand the definition of "smoke"; 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, ~~or 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, is also present in such vehicle,
13 regardless of whether windows of the motor vehicle are down. For purposes of this
14 Section, the term "smoke" shall mean inhaling, exhaling, burning, or carrying any
15 activated aerosol or vapor or any lighted cigarette, cigar, pipe, weed, plant, or other
16 combustible substance in any manner or in any form.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____