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## Transportation Committee

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### HB 2086

**Brief Description:** Concerning smoking in motor vehicles carrying minors.

**Sponsors:** Representatives Bergquist, Hawkins, Hunt, Walsh, Freeman, Manweller, Stonier, Riccelli, Kagi, Pollet, Zeiger, Tarleton, Orwall, Habib, Green, Cody, Morrell, Fey, Roberts and Smith.

<p style="text-align: center;"><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>• Establishes a traffic infraction for a person to smoke a pipe, cigar, or cigarette in a vehicle carrying a minor.</li></ul>
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**Hearing Date:** 1/14/14

**Staff:** Andrew Russell (786-7143).

**Background:**

Washington law prohibits the smoking of any pipe, cigar, or cigarette in any public place, including schools, transportation facilities, libraries, restaurants, bars, casinos, and at least 75 percent of hotel sleeping quarters. Smoking is also prohibited in places of employment, including work areas, restrooms, cafeterias, and other common areas. These prohibitions extend 25 feet from any entrance, exit, open window, and ventilation intake.

A traffic infraction is generally a noncriminal offense, issued for a failure to comply with the laws of Washington related to operating a vehicle, parking, standing, stopping, and certain pedestrian offenses. Monetary penalties for traffic infractions are capped at \$250, unless exempted from the cap by statute. Finally, for infractions for which a monetary penalty is not set by statute, the Washington State Supreme Court prescribes a schedule of monetary penalties, which can be adjusted for inflation every two years.

**Summary of Bill:**

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

A traffic infraction is established for any person who smokes a pipe, cigar, or cigarette in a motor vehicle in which there are passengers under the age of 18. A person guilty of this infraction will be assessed a monetary penalty of \$125 for the first violation and \$250 for each violation thereafter. Finally, such an infraction is not added to a driver's record and is not made available to insurance companies or employers.

**Appropriation:** None.

**Fiscal Note:** Requested on January 9, 2014.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.