

HB0889



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0889

Introduced 2/10/2009, by Rep. Mike Boland

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-1431 new

Amends the Illinois Vehicle Code. Provides that a person may not smoke in a vehicle while a child 8 years of age or younger is in the vehicle, and a violation is a petty offense punishable by a fine of not more than \$25. Provides that a violation may not be considered evidence of negligence, does not limit the liability of an insurer, and does not diminish any recovery for damages arising out of the ownership, maintenance, or operation of a motor vehicle. Provides that a law enforcement officer may not search or inspect a motor vehicle, its contents, the driver, or a passenger solely because of a violation of the provision. Effective immediately.

LRB096 03873 AJT 13907 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by adding
5 Section 11-1431 as follows:

6 (625 ILCS 5/11-1431 new)

7 Sec. 11-1431. No smoking with young children in the
8 vehicle.

9 (a) A person may not smoke in a vehicle if any person in
10 the vehicle is a child 8 years of age or younger.

11 (b) A violation of this Section may not be considered
12 evidence of negligence, does not limit the liability of an
13 insurer, and does not diminish any recovery for damages arising
14 out of the ownership, maintenance, or operation of a motor
15 vehicle.

16 (c) A violation of this Section is a petty offense
17 punishable by a fine of not more than \$25.

18 (d) A law enforcement officer may not search or inspect a
19 motor vehicle, its contents, the driver, or a passenger solely
20 because of a violation of this Section.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.