
HOUSE BILL 2519

State of Washington

60th Legislature

2008 Regular Session

By Representatives Schual-Berke, Hunt, Appleton, Roberts, Kenney, Seaquist, Eddy, and Williams

Prefiled 01/07/08. Read first time 01/14/08. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to operating a motor vehicle while smoking; adding
2 a new section to chapter 46.61 RCW; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.61 RCW
5 to read as follows:

6 (1) A person who smokes a lighted pipe, cigar, or cigarette in a
7 moving or parked motor vehicle containing any passengers under the age
8 of eighteen years is guilty of a traffic infraction.

9 (2) Enforcement of this section by law enforcement officers may be
10 accomplished only as a secondary action when a driver of a motor
11 vehicle has been detained for a suspected violation of this title or an
12 equivalent local ordinance or some other offense.

13 (3) Infractions under this section shall not become part of the
14 driver's record under RCW 46.52.101 and 46.52.120. Additionally, a
15 finding that a person has committed a traffic infraction under this
16 section shall not be made available to insurance companies or
17 employers.

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