

# MAINE STATE LEGISLATURE

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Date: 3/10/20

(Filing No. S-425)

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE

SENATE

129TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 313, L.D. 1081, Bill, "An Act To Impose Further Restrictions on where Marijuana May Be Smoked"

Amend the bill by striking out the title and substituting the following:

'An Act Regarding Smoking in Vehicles When a Minor Is Present'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 29-A MRSA §2120, as enacted by PL 2017, c. 165, §9, is amended to read:

§2120. Smoking in vehicles when minor under 16 years of age is present

1. Definition. As used in this section, unless the context otherwise indicates, "smoking" means inhaling, exhaling, burning or carrying a lighted cigarette, cigar, pipe, weed, plant, regulated narcotic or other combustible substance.

2. Prohibition. Smoking is prohibited in a motor vehicle by the operator or a passenger when a person who has not attained 16 years of age minor is present in that motor vehicle, regardless of whether the motor vehicle's windows are open.

3. Prohibition on inspection or search. A motor vehicle, the contents of the motor vehicle or the operator or a passenger in the motor vehicle may not be inspected or searched solely because of a violation of this section.

4. Penalty. A person who violates subsection 2 commits a traffic infraction for which a fine of \$50 must be adjudged.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

COMMITTEE AMENDMENT

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**SUMMARY**

This amendment changes the title of and replaces the bill. Under the motor vehicle laws, smoking in a motor vehicle by the operator or a passenger is prohibited when a person who has not attained 16 years of age is present in the motor vehicle. The amendment amends that prohibition to provide that smoking in a motor vehicle by the operator or a passenger is prohibited when a minor is present in the motor vehicle. Under the motor vehicle laws, "minor" is defined as a person who has not attained 18 years of age.

FISCAL NOTE REQUIRED  
(See attached)



# 129th MAINE LEGISLATURE

LD 1081

LR 516(02)

**An Act To Impose Further Restrictions on where Marijuana May Be Smoked**

**Fiscal Note for Bill as Amended by Committee Amendment "A" (S-425)**  
**Committee: Veterans and Legal Affairs**  
**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund  
Minor revenue increase - General Fund  
Minor revenue increase - Other Special Revenue Funds

### Correctional and Judicial Impact Statements

The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time.

The collection of additional fine and/or fee revenue will increase General Fund and dedicated revenue by minor