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HEALTH AND SAFETY CODE - HSC

DIVISION 104. ENVIRONMENTAL HEALTH [106500 - 119406] (Division 104 added by Stats. 1995, Ch. 415, Sec. 6.)

PART 15. MISCELLANEOUS REQUIREMENTS [118375 - 119406] (Part 15 added by Stats. 1995, Ch. 415, Sec. 6.)

CHAPTER 4. Indoor Air Quality [118875 - 118950] (Chapter 4 added by Stats. 1995, Ch. 415, Sec. 6.)

ARTICLE 2.5. Smoking in Motor Vehicles [118947 - 118949] (Article 2.5 added by Stats. 2007, Ch. 425, Sec. 1.)

[118947.](#) This act shall be known, and may be cited, as the Marco Firebaugh Memorial Children's Health and Safety Act of 2007.
(Added by Stats. 2007, Ch. 425, Sec. 1. Effective January 1, 2008.)

[118948.](#) (a) It is unlawful for a person to smoke a tobacco product in a motor vehicle, whether in motion or at rest, in which there is a minor.

(b) For purposes of this section, "smoke" has the same meaning as in subdivision (c) of Section 22950.5 of the Business and Professions Code.

(c) For purposes of this section, "tobacco product" means a product or device as defined in subdivision (d) of Section 22950.5 of the Business and Professions Code.

(d) A violation of this section is an infraction punishable by a fine not exceeding one hundred dollars (\$100) for each violation.
(Amended by Stats. 2016, 2nd Ex. Sess., Ch. 7, Sec. 20. (SB 5 2x) Effective June 9, 2016.)

[118949.](#) A law enforcement officer shall not stop a vehicle for the sole purpose of determining whether the driver is in violation of this article.
(Added by Stats. 2007, Ch. 425, Sec. 1. Effective January 1, 2008.)