

2016 -- S 2765

LC004435

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - MISCELLANEOUS RULES

Introduced By: Senators Sosnowski, Crowley, Conley, Archambault, and Goldin

Date Introduced: March 10, 2016

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-22-22.1 of the General Laws in Chapter 31-22 entitled  
2 "Miscellaneous Rules" is hereby amended to read as follows:

3 **31-22-22.1. Child passenger protection -- Warnings of hazard and risk.** -- (a) All law  
4 enforcement officers in this state are authorized to provide a verbal warning to any person who  
5 shall be deemed to have left a child under the age of seven (7) unattended in a motor vehicle. The  
6 warning shall apprise the offending person of the dangers of this practice including, but not  
7 limited to, the risk of kidnapping and/or abduction, and the dangers which may result from the  
8 accumulation of excessive temperatures within the motor vehicle.

9 (b) All law enforcement officers in the state are authorized to provide a verbal warning  
10 to any person who is smoking, as defined in §23-20.10-2, in a motor vehicle containing a child  
11 who is restrained or required to be restrained pursuant to §31-22-22(a). The warning shall apprise  
12 the offending person of the dangers of this practice to children. No motor vehicle may be stopped  
13 by any state or municipal law enforcement agency, nor may a law enforcement officer search a  
14 motor vehicle, its contents, the driver or passengers, based solely on such conduct.

15 ~~(b)~~(c) No fine or sanction shall be imposed for a violation of this section, other than a  
16 verbal warning, and no record of any kind shall be maintained of the warning.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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- 1           This act would authorize police officers to provide a verbal warning to a person who is
- 2 smoking in a vehicle containing a child who is restrained or required to be restrained.
- 3           This act would take effect upon passage.

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