

Introducing new legislation in South Australia
As of May 31st 2007...

Smoke with kids in the car & you'll cough up a fine.



Quitline.
137848
www.quitsa.org.au

What does the law say?

Smoking is banned in cars when children are present. Section 48 of the Tobacco Products Regulation Act 1997 states:

1. A person must not smoke in a motor vehicle if a child is also present in the motor vehicle. Maximum Penalty \$200. Expiation fee \$75.
2. In proceedings for an offence against this section an allegation in the complaint that a child was present in a motor vehicle at a specified time will be accepted as proved in the absence of proof to the contrary.
3. In this section –
child means a person under 16 years of age
motor vehicle has the same meaning as in the Motor Vehicles Act 1959

What is the definition of a motor vehicle?

A motor vehicle means a vehicle that is built to be propelled by a motor that forms part of the vehicle (Motor Vehicles Act 1959).

How dangerous is the passive smoking risk to children?

Exposure to passive smoking, especially in confined areas such as cars, is known to be hazardous to health. Passive smoke contains the same harmful chemicals that smokers are exposed to when they inhale tobacco smoke. Passive smoking can cause a range of serious illnesses including asthma, bronchitis, pneumonia and chest infections, lung cancer and cardiovascular disease.

Children and babies are especially vulnerable. About 8% of new cases of asthma in children are attributable to passive smoking and the risk of respiratory infections, middle ear infections and sudden infant death syndrome increases with exposure to passive smoking.

Does the law apply only when someone is smoking in a moving vehicle?

The intention is to prevent children's exposure to passive smoking and this can occur whether the vehicle is moving or stationary.

Does this law only apply to the driver?

Any person in the vehicle who is smoking while a child is in the vehicle will be committing an offence.

How will this law be enforced?

Police Officers and Tobacco Control Officers have the authority to enforce this law.

For more information...

Please contact the Tobacco Control Unit, Drug & Alcohol Services SA on ph. 8274 3451.

If you want to know more about quitting smoking, please call the Quitline on 137 848 or visit the Quit SA website www.quitsa.org.au.