

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 279 Session of 2023

INTRODUCED BY YAW AND STEFANO, FEBRUARY 21, 2023

REFERRED TO TRANSPORTATION, FEBRUARY 21, 2023

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, in miscellaneous provisions relating to operation  
3 of vehicles, providing for protection of children from  
4 second-hand smoke in vehicles; and imposing a penalty.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Title 75 of the Pennsylvania Consolidated  
8 Statutes is amended by adding a section to read:

9 § 3701.2. Protection of children from second-hand smoke in  
10 vehicles.

11 (a) General rule.--An individual may not smoke in a vehicle  
12 that is transporting a child under 12 years of age.

13 (b) Penalty.--

14 (1) An individual who violates subsection (a) commits a  
15 summary offense and shall, upon conviction, be sentenced to  
16 pay a fine of \$100.

17 (2) An individual who commits a second or subsequent  
18 offense after being convicted under paragraph (1) commits a  
19 summary offense and shall, upon conviction, be sentenced to

1     pay a fine of \$250.

2     (c) Requirement.--An individual may not be convicted of an  
3 offense under subsection (a) unless the individual is also  
4 convicted of another offense under this title that occurred at  
5 the same time.

6     (d) Definition.--As used in this section, the term "smoke"  
7 means to carry a lighted cigar, cigarette, pipe or other smoking  
8 device.

9     Section 2. This act shall take effect in 90 days.