

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1841 Session of  
2013

INTRODUCED BY D. COSTA, BISHOP, KOTIK, HAGGERTY, DeLUCA, KIM,  
MAHONEY, FARINA, V. BROWN, COHEN, MICOZZIE, CALTAGIRONE AND  
MURT, NOVEMBER 18, 2013

REFERRED TO COMMITTEE ON TRANSPORTATION, NOVEMBER 18, 2013

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, providing for second-hand smoke protection for  
3 children; and imposing a penalty.

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

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

8 § 3701.2. Protection of children from second-hand smoke.

9 (a) Offense.--An individual may not smoke in a vehicle which  
10 is transporting a child under 12 years of age.

11 (b) Grading.--

12 (1) Except as set forth in paragraph (2), an individual  
13 who violates subsection (a) commits a summary offense and  
14 shall, upon conviction, be sentenced to pay a fine of \$100.

15 (2) An individual who, after being sentenced under  
16 paragraph (1), violates subsection (a) commits a summary  
17 offense and shall, upon conviction, be sentenced to pay a  
18 fine of \$250.

1     (c) Definition.--As used in this section, the term "smoke"  
2     means to carry a lighted cigar, cigarette, pipe or other smoking  
3     device.

4     Section 2. This act shall take effect in 60 days.