

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 109 Session of 2015

INTRODUCED BY D. COSTA, BISHOP, DeLUCA, KINSEY, THOMAS, McNEILL, DEASY, FARINA, STEPHENS, CARROLL, COHEN AND V. BROWN, JANUARY 21, 2015

REFERRED TO COMMITTEE ON TRANSPORTATION, JANUARY 21, 2015

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
 2 Statutes, in miscellaneous provisions, providing for second-  
 3 hand smoke protection for 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.