AN ACT

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in offenses in general, prohibiting persons from smoking in motor vehicles occupied by child under 18 years of age; and prescribing a penalty.

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

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

§ 3721. Smoking in motor vehicle occupied by child under 18 years of age.

(a) Defense defined.--No person may smoke in a motor vehicle that is occupied by a child under 18 years of age.

(b) Penalty.--

(1) An operator of a motor vehicle who violates this section or permits a person in the motor vehicle to violate this section commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than $25.

(2) A conviction under this section shall occur only as a secondary action when the operator of a motor vehicle has
been convicted of violating any other provision of this title.

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