

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2790 Session of
1996

INTRODUCED BY LYNCH, ITKIN, WOGAN, READSHAW, SEMMEL, FARGO,
FAIRCHILD, MERRY, BAKER, DEMPSEY, CORRIGAN, SHANER, STISH,
BROWN, YOUNGBLOOD, PISTELLA, BARD, MILLER, FICHTER,
HENNESSEY, E. Z. TAYLOR, STABACK, ROBINSON, GODSHALL,
LEDERER, HALUSKA AND SAINATO, JUNE 25, 1996

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 25, 1996

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, providing for vehicle trespasser.

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

5 Section 1. Section 3503(c) of Title 18 of the Pennsylvania
6 Consolidated Statutes is amended and the section is amended by
7 adding subsections to read:

8 § 3503. Criminal trespass.

9 * * *

10 (b.2) Vehicle trespasser.--

11 (1) A person commits an offense if, knowing that he is
12 not licensed or privileged to do so, he:

13 (i) enters, gains entry or remains in any vehicle;

14 or

15 (ii) breaks into and remains in any vehicle.

16 (2) An offense under paragraph (1)(i) is a summary

1 offense and an offense under paragraph (1)(ii) is a
2 misdemeanor of the third degree.

3 (c) Defenses.--It is a defense to prosecution under this
4 section that:

5 (1) a building or occupied structure involved in an
6 offense under subsection (a) of this section was abandoned;

7 (2) the premises [were] or vehicle was at the time open
8 to members of the public and the actor complied with all
9 lawful conditions imposed on access to or remaining in the
10 premises; or

11 (3) the actor reasonably believed that the owner of the
12 premises or vehicle, or other person empowered to license
13 access thereto, would have licensed him to enter or remain.

14 (d) Definitions.--As used in this section, the following
15 words and phrases shall have the meanings given to them in this
16 subsection:

17 "Breaks into." To gain entry by force, breaking,
18 intimidation, unauthorized opening of locks, or through an
19 opening not designed for human access.

20 "Vehicle." The term shall have the same meaning as given in
21 75 Pa.C.S. § 102 (relating to definitions).

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