

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 217 Session of 2019

INTRODUCED BY CRUZ, YOUNGBLOOD, SCHLOSSBERG, McNEILL, MURT, STEPHENS, HILL-EVANS AND FREEMAN, JANUARY 28, 2019

REFERRED TO COMMITTEE ON TRANSPORTATION, JANUARY 28, 2019

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
 2 Statutes, in offenses in general, prohibiting persons from
 3 smoking in motor vehicles occupied by child under 18 years of
 4 age; and prescribing 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 § 3721. Smoking in motor vehicle occupied by child under 18
 10 years of age.

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

13 (b) Penalty.--

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

18 (2) A conviction under this section shall occur only as
 19 a secondary action when the operator of a motor vehicle has

1 been convicted of violating any other provision of this
2 title.

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