

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 227 Session of  
1979

INTRODUCED BY ROMANELLI, ROSS AND ZEMPRELLI, FEBRUARY 13, 1979

REFERRED TO PUBLIC HEALTH AND WELFARE, FEBRUARY 13, 1979

AN ACT

Amending the act of April 6, 1956 (1955 P.L.1414, No.465),  
entitled, as amended, "An act to promote the welfare of the  
people of this Commonwealth; creating Port Authorities to  
function in counties of the second class as bodies corporate  
and politic, with power to plan, acquire, construct, maintain  
and operate facilities and projects for the improvement and  
development of the port district and to borrow money and  
issue bonds therefor; providing for the payment of such bonds  
and prescribing the rights of the holders thereof; conferring  
the right of eminent domain on the authorities; authorizing  
the authorities to enter into contracts with and to accept  
grants from the Federal government or any agency thereof; and  
conferring exclusive jurisdiction on certain courts over  
rates and services; and authorizing the authorities to  
collect tolls, fares, fees, rentals and charges for the use  
of facilities; defining the authorities' powers and duties,  
and defining the port districts; granting Port Authorities  
the exclusive right to engage in the business of owning,  
operating, and maintaining a transportation system for the  
transportation of persons in counties of the second class,  
providing, when necessary, for extension of transportation  
systems into adjoining counties and outside of said counties  
as provided in the act; limiting the jurisdiction of the  
Public Utility Commission over Port Authorities; authorizing  
municipalities to make loans and grants and to transfer  
existing facilities; authorizing Port Authorities to enter  
into contracts with and to accept grants from State and local  
governments or agencies thereof; exempting the property and  
facilities of such Port Authorities from taxation and  
limiting the time to commence civil action against said  
Authorities," prohibiting smoking, eating and drinking in  
certain public conveyances owned or operated by a port  
authority created under the act and providing a penalty.

The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. The act of April 6, 1956 (1955 P.L.1414, No.465),  
3 known as the "Second Class County Port Authority Act," is  
4 amended by adding a section to read:

5 Section 10.1. (a) Except as otherwise provided in  
6 subsection (b), it shall be unlawful for any person to smoke a  
7 cigar, pipe, cigarette or other device used to smoke, or to eat  
8 or drink anything on a public conveyance owned or operated by  
9 the authority, including, but not limited to, a bus, street  
10 railway car, light rail vehicle, a commuter rail train and  
11 incline.

12 (b) Subsection (a) shall not apply to: (i) passengers on a  
13 commuter rail car which comprises part of a commuter rail train  
14 and which car is specifically designated as an area on said  
15 train where smoking, eating or drinking is permitted, or (ii)  
16 passengers on a bus, street railway car or light rail vehicle,  
17 which is being used to transport groups or parties of persons,  
18 the charge for which is based upon the transportation of a group  
19 and not upon the number of persons carried and for which payment  
20 is made by a single person or organization and not by the  
21 passengers as individuals.

22 (c) The authority shall post a notice of the prohibitions  
23 against smoking, eating and drinking and the penalty imposed by  
24 this section, on the inside front of all public conveyances  
25 referred to in subsection (a).

26 (d) A person who violates the provisions of subsection (a)  
27 hereof, shall, upon conviction thereof in a summary proceeding,  
28 be sentenced to pay a fine of \$50, and the costs of prosecution  
29 and in default of the payment thereof, shall be sentenced to  
30 imprisonment for a period not exceeding ten (10) days.

1       Section 2.   This act shall take effect in 30 days.