

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 146 Session of
1997

INTRODUCED BY LYNCH, D. W. SNYDER, ITKIN, ROBINSON, FARGO,
BELARDI, MILLER, FICHTER, SHANER, READSHAW, ALLEN,
M. N. WRIGHT, SAINATO, WALKO, GEIST, HENNESSEY, BROWNE,
BAKER, KELLER, MICHLOVIC, DIGIROLAMO, YOUNGBLOOD, RAMOS,
STABACK, SCHULER, CORPORA, FAIRCHILD, COLAFELLA, GODSHALL,
LEDERER, CORRIGAN, BROWN, OLASZ, EGOLF, WOGAN, SEMMEL,
PISTELLA, DEMPSEY, J. TAYLOR, HALUSKA, TRELLO, LUCYK,
HUTCHINSON, WILT, BARD AND BENNINGHOFF, JANUARY 29, 1997

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 29, 1997

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, defining the offense of vehicle
3 trespass.

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

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

9 § 3503. Criminal trespass.

10 * * *

11 (b.2) Vehicle trespass.--

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

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

15 or

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

2 (2) An offense under paragraph (1)(i) is a summary
3 offense. An offense under paragraph (1)(ii) is a misdemeanor
4 of the third degree.

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

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

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

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

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

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

22 "Vehicle." The term shall have the same meaning as given in
23 75 Pa.C.S. § 102 (relating to definitions).

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