

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 362 Session of
2007

INTRODUCED BY DALEY, BENNINGTON, BLACKWELL, CARROLL, DeLUCA,
FRANKEL, HORNAMAN, JOSEPHS, KULA, LEACH, MELIO, READSHAW,
SCAVELLO, J. TAYLOR AND YOUNGBLOOD, FEBRUARY 13, 2007

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES,
FEBRUARY 13, 2007

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, providing for second-hand smoke protection for
3 children.

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

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

8 § 3701.2. Protection of children from second-hand smoke.

9 (a) Offense.--An individual may not smoke in a vehicle which
10 is transporting a child under eight years of age.

11 (b) Grading.--

12 (1) Except as set forth in paragraph (2), an individual
13 who violates subsection (a) commits a summary offense and
14 shall, upon conviction, be sentenced to pay a fine of \$100.

15 (2) An individual who, after being sentenced under
16 paragraph (1), violates subsection (a) commits a summary
17 offense and shall, upon conviction, be sentenced to pay a

1 fine of \$250.

2 (c) Definition.--As used in this section, the term "smoke"
3 means to carry a lighted cigar, cigarette, pipe or other smoking
4 device.

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