

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1202 Session of 2011

INTRODUCED BY CRUZ, YOUNGBLOOD, SWANGER, MURT, D. COSTA AND
M. O'BRIEN, MARCH 28, 2011

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 28, 2011

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in other offenses, providing for the
3 offense of wireless communications device use while
4 dispensing liquid fuels.

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

7 Section 1. Title 18 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 7518. Wireless communications device use while dispensing
10 liquid fuels.

11 (a) Offense defined.--A person commits a summary offense if
12 the person uses a wireless communications device while
13 dispensing liquid fuels at a dealer.

14 (b) Public notice.--A dealer shall post signs informing
15 customers of the provisions of this section in such a manner as
16 prescribed by regulation of the State Fire Commissioner.

17 (c) Duties of State Fire Commissioner.--The State Fire
18 Commissioner shall:

19 (1) Develop a uniform sign to notify persons who

1 purchase retail liquid fuels from dealers of the provisions
2 of this section.

3 (2) Promulgate regulations that prescribe the manner in
4 which the sign shall be posted by dealers under subsection
5 (b) and that establish a civil penalty for violation of
6 subsection (b).

7 (3) Enforce the provisions of subsection (b).

8 (d) Definitions.--The following words and phrases when used
9 in this section shall have the meanings given to them in this
10 subsection unless the context clearly indicates otherwise:

11 "Dealer." The term shall have the same meaning given to it
12 under 75 Pa.C.S. § 9002 (relating to definitions).

13 "Liquid fuels." The term shall have the same meaning given
14 to it under 75 Pa.C.S. § 9002 (relating to definitions).

15 "Wireless communications device." Any wireless electronic
16 communications device that provides for voice or data
17 communication between two or more parties, including, but not
18 limited to, a mobile or cellular telephone, a text-messaging
19 device or a personal digital assistant that sends or receives
20 messages.

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