
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1073 Session of
2015

INTRODUCED BY P. DALEY, BISHOP, V. BROWN, FARINA, FREEMAN,
ACOSTA, THOMAS, D. COSTA, McNEILL, COHEN, McCARTER AND
MAHONEY, MAY 4, 2015

REFERRED TO COMMITTEE ON TRANSPORTATION, MAY 4, 2015

AN ACT

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

10 (1) An individual may not smoke in a vehicle that is
11 transporting a child under eight years of age.

12 (2) An individual shall not be convicted under this
13 subsection unless the individual is also convicted for a
14 violation of this title that occurred at the same time.

15 (b) Grading.--

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

1 (2) An individual who, after being sentenced under
2 paragraph (1), violates subsection (a) commits a summary
3 offense and shall, upon conviction, be sentenced to pay a
4 fine of \$250.

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

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