

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2126 Session of 2015

INTRODUCED BY DAWKINS, FRANKEL, KINSEY, BISHOP, V. BROWN, COHEN,  
THOMAS, MAHONEY, MURT, KIRKLAND, D. COSTA, TOOHL, McNEILL,  
ROZZI, HELM AND BRADFORD, JUNE 2, 2016

REFERRED TO COMMITTEE ON EDUCATION, JUNE 2, 2016

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
2 act relating to the public school system, including certain  
3 provisions applicable as well to private and parochial  
4 schools; amending, revising, consolidating and changing the  
5 laws relating thereto," in pupils and attendance, prohibiting  
6 smoking at bus stops.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known  
10 as the Public School Code of 1949, is amended by adding a  
11 section to read:

12 Section 1368. Smoking Prohibited.--(a) A student of a  
13 public school, private school or charter school may not smoke  
14 within twenty-five (25) feet of a school bus stop.

15 (b) The prohibition under subsection (a) shall be enforced  
16 as follows:

17 (1) The prohibition shall include only the outdoor area  
18 within twenty-five (25) feet of the bus stop.

19 (2) If the bus stop is a public stop also used by public

1 transportation, the prohibition shall apply only to the  
2 students.

3 (3) If the bus stop is on a corner, the twenty-five (25)  
4 foot radius shall be calculated from the side of the corner  
5 where the students congregate to wait for the bus.

6 (4) If the bus stop is at a residence, the twenty-five (25)  
7 foot radius shall be calculated from one of the following:

8 (i) The center point of the driveway where the driveway  
9 meets the road.

10 (ii) If there is no driveway, the point at the street  
11 directly in front of the front door of the residence or  
12 business.

13 (c) A school may enforce this section through appropriate  
14 disciplinary action and an appropriate fine after an  
15 investigation that may include a statement from a school bus  
16 driver, a student's parent or another student. The statement can  
17 be made either in writing or verbally to the appropriate school  
18 official in charge of administering this section, however, the  
19 report must always include the name of the person making the  
20 report, the location of the alleged offense, the name or  
21 physical description, or both, of the alleged offender and the  
22 time of day that the offense allegedly occurred.

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