

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 288 Session of 2019

INTRODUCED BY YAW, K. WARD, COSTA AND BREWSTER,
FEBRUARY 14, 2019

REFERRED TO TRANSPORTATION, FEBRUARY 14, 2019

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in miscellaneous provisions relating to operation
3 of vehicles, providing for protection of children from
4 second-hand smoke in vehicles; and imposing a penalty.

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

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

9 § 3701.2. Protection of children from second-hand smoke in
10 vehicles.

11 (a) General rule.--No individual may smoke in a vehicle that
12 is transporting a child under 12 years of age.

13 (b) Penalty.--

14 (1) An individual who violates subsection (a) commits a
15 summary offense and shall, upon conviction, be sentenced to
16 pay a fine of \$100.

17 (2) An individual who commits a second or subsequent
18 offense after being convicted under paragraph (1) commits a
19 summary offense and shall, upon conviction, be sentenced to

1 pay a 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.