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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 288 Session of  
2019

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

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REFERRED TO TRANSPORTATION, FEBRUARY 14, 2019

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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.