
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 819 Session of
1997

INTRODUCED BY PETRONE, PISTELLA, BUNT, PESCI, ITKIN, BELARDI,
LUCYK, GEIST, ROONEY, HENNESSEY, RAMOS, JAMES, BOSCOLA,
PRESTON, HORSEY AND SEYFERT, MARCH 12, 1997

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 12, 1997

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for handicapped placard; and
3 providing for certain special registration plates.

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

6 Section 1. Sections 1334, 1338 and 1342 of Title 75 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 1334. Return of registration plate.

9 (a) General rule.--Registration plates shall be returned to
10 the department under the following circumstances:

11 (1) A registration plate shall be returned if the
12 registrant no longer has a vehicle titled in this
13 Commonwealth.

14 (2) A legislative registration plate shall be returned
15 on the expiration or termination of the term of office of the
16 legislative member.

17 (3) A dealer or "Miscellaneous Motor Vehicle Business"
18 registration plate shall be returned if the business is

1 discontinued.

2 (4) A [handicapped] disability registration plate shall
3 be returned if the person to whom it was issued no longer
4 qualifies under section 1338 (relating to [handicapped]
5 disability plate and placard).

6 (b) Time for return of plate.--Each registration plate
7 required to be returned under this section shall be returned to
8 the department within five days of the occurrence requiring its
9 return.

10 (c) Statement accompanying returned plate.--Each returned
11 registration plate shall be accompanied by a statement of the
12 reason for the return of the plate and the date of the
13 occurrence requiring its return.

14 § 1338. [Handicapped] Disability plate and placard.

15 (a) [Handicapped] Disability plate.--On the application of
16 any person who:

17 (1) is blind;

18 (2) does not have full use of an arm or both arms;

19 (3) cannot walk 200 feet without stopping to rest;

20 (4) cannot walk without the use of, or assistance from,
21 a brace, cane, crutch, another person, prosthetic device,
22 wheelchair or other assistive device;

23 (5) is restricted by lung disease to such an extent that
24 the person's forced (respiratory) expiratory volume for one
25 second, when measured by spirometry, is less than one liter
26 or the arterial oxygen tension is less than 60 mm/hg on room
27 air at rest;

28 (6) uses portable oxygen;

29 (7) has a cardiac condition to the extent that the
30 person's functional limitations are classified in severity as

1 Class III or Class IV according to the standards set by the
2 American Heart Association;

3 (8) is severely limited in his or her ability to walk
4 due to an arthritic, neurological or orthopedic condition; or

5 (9) is a person in loco parentis of a person specified
6 in paragraph (1), (2), (3), (4), (5), (6), (7) or (8);

7 the department shall issue a special registration plate for one
8 passenger car or other vehicle with a registered gross weight of
9 not more than 9,000 pounds, designating the vehicle so licensed
10 as being used by a [handicapped] person with a disability.

11 Special plates for [handicapped] persons with disabilities may
12 also be issued for vehicles operated exclusively for the use and
13 benefit of [handicapped] such persons. In the case of a
14 motorcycle, the department shall issue a decal containing the
15 international symbol for [handicapped] access by individuals
16 with disabilities for display on the registration plate.

17 (b) [Handicapped] Disability parking placard.--On the
18 initial application or renewal application of any person who
19 meets the qualifications of subsection (a), the department shall
20 issue one special parking placard of such size and design as the
21 department shall specify, designating the vehicle in which it is
22 displayed as being used for the transportation of a
23 [handicapped] person with a disability. When parking the
24 designated vehicle, the [handicapped] disability parking placard
25 shall be prominently displayed in such a manner that it may be
26 viewed from the front and rear of the vehicle by hanging it from
27 the front windshield rearview mirror of a vehicle only when that
28 vehicle is utilizing a parking space reserved for persons with
29 disabilities. When there is no rearview mirror, or the placard
30 is not designed in such a manner to accommodate hanging from a

1 rearview mirror, the placard shall be displayed on the
2 dashboard. Placards may also be issued for use in vehicles when
3 operated for the use and benefit of [handicapped] persons with
4 disabilities. Organizations which transport persons in vehicles
5 operated for the use and benefit of handicapped persons shall be
6 issued not more than eight placards in the organization's name.

7 [(c) Physician's statement.--

8 (1) Any person applying for a special plate or parking
9 placard for handicapped persons must present a statement,
10 certified by a physician licensed to practice in this
11 Commonwealth or in a contiguous state, that the handicapped
12 person is handicapped as provided in subsection (a).

13 (2) Any person applying for a renewal of registration of
14 a special plate for handicapped persons must comply with this
15 subsection. Once a handicapped person has been duly certified
16 by a physician as being handicapped, as provided in
17 subsection (a), the applicant need not submit a certification
18 for subsequent renewals of registration for a special plate
19 for handicapped persons. A person who was issued a
20 handicapped plate under this section and no longer qualifies
21 for one shall not be charged a replacement fee for a regular
22 registration plate upon payment of the regular registration
23 fee.

24 (3) In lieu of a physician's statement, a person
25 applying for a special plate or parking placard may present a
26 statement from a police officer certifying that the person
27 does not have full use of a leg, or both legs, or is blind.

28 (4) The department shall phase out existing handicapped
29 placards as soon as practicable and issue a new series to
30 persons who comply with this section.]

1 (c) Physician's statement.--Except as provided in subsection
2 (d), a person applying for a special plate or parking placard
3 for a person with a disability must present a statement,
4 certified by a physician licensed to practice in this
5 Commonwealth or in a contiguous state, that the person has a
6 disability as provided in subsection (a). Once a person has been
7 duly certified by a physician as having a disability, as
8 provided in subsection (a), the applicant need not submit a
9 certification for subsequent renewals of registration for a
10 special plate for a person with a disability. A person who was
11 issued a disability plate under this section and no longer
12 qualifies for one shall not be charged a replacement fee for a
13 regular registration plate upon payment of the regular
14 registration fee.

15 (d) Exceptions.--In lieu of a physician's statement, a
16 person applying for a special plate or parking placard may
17 present a statement from a police officer certifying that the
18 person does not have full use of a leg, or both legs, or is
19 blind or a statement from an organization dedicated to helping
20 persons with disabilities that the organization is providing
21 transportation for such persons.

22 [[c.1]] (e) Return of plates and placard.--Upon the death of
23 a person to whom a plate or placard has been issued under this
24 section, the plate or placard shall be void 30 days after death
25 and shall not be displayed on any vehicle. The personal
26 representative of the deceased shall return the plate to the
27 department. If there is no personal representative, the spouse
28 or, if there is no spouse, the next of kin of the deceased shall
29 return the plate or placard to the department.

30 [[c.2]] (f) Authorized use.--This section shall not preclude

1 the operation of a vehicle which bears a handicapped plate when
2 the vehicle is not being used for the benefit of the handicapped
3 person or when the handicapped person is not present in the
4 vehicle, provided the driver does not use or attempt to use any
5 special privilege or benefit otherwise accorded to vehicles
6 displaying the plate.

7 [(d)] (g) Penalty.--Any person violating this section
8 commits a summary offense and shall, upon conviction, be
9 sentenced to pay a fine of not more than \$100.

10 § 1342. Veteran plates and placard.

11 (a) [Severely disabled veteran] Veteran with severe
12 disability plate.--On the application of a veteran whose
13 service-connected disability is certified at 100% by the service
14 unit of the armed forces in which the veteran served or by the
15 United States Veterans' Administration or who has a service-
16 connected disability of the type enumerated in section 1338
17 (relating to [handicapped] disability plate and placard), the
18 department shall issue a special registration plate designating
19 the vehicle as belonging to a [severely disabled] veteran with a
20 severe disability. The registration plate shall have a white
21 background, shall have blue numbers or letters as the department
22 may determine, shall have the words, "[disabled] veteran with
23 disability," in at least ten-point bold type, inscribed in red
24 at the bottom of the plate, and shall include the international
25 symbol for [handicapped] access by individuals with
26 disabilities. Only one special registration plate shall be
27 issued to a veteran under this section. It may be used only on
28 one passenger vehicle or one other vehicle with a registered
29 gross weight of not more than 9,000 pounds. In the case of a
30 motorcycle, the department shall issue a decal containing the

1 international symbol for [handicapped] access by individuals
2 with disabilities and the words "[disabled] veteran with
3 disability" for display on the registration plate.

4 (b) [Severely disabled veteran] Veteran with severe
5 disability placard.--On the application of any person who meets
6 the qualifications of subsection (a), the department shall issue
7 one special parking placard of such size and design as the
8 department shall specify, designating the vehicle in which it is
9 displayed as being used for the transportation of a [severely
10 disabled] veteran with a severe disability. Such placard shall
11 be prominently displayed on the right front dash of the vehicle
12 when it is in use for the transportation of such [severely
13 disabled] veteran with a severe disability.

14 (c) [Disabled veteran] Veteran with disability plates.--On
15 the application of any veteran having a disability certified by
16 the service unit of the armed forces in which the veteran served
17 or by the United States Veterans' Administration as service-
18 connected, the department shall issue a special registration
19 plate designating the vehicle as belonging to a [disabled]
20 veteran who is disabled. The registration plate shall have a
21 white background, shall have numbers or letters as the
22 department may determine and shall have the words "[disabled]
23 veteran with disability" in at least ten-point bold type
24 inscribed at the bottom of the plate. Only one special
25 registration plate shall be issued to a veteran under this
26 section. It may be used only on one passenger vehicle or one
27 other vehicle with a registered gross weight of not more than
28 9,000 pounds.

29 (d) Prisoner of war plate.--On the application of an ex-
30 prisoner of war whose imprisonment while in the service of the

1 armed forces of the United States is certified by the
2 appropriate branch of the armed forces, the department shall
3 issue a special registration plate designating the vehicle as
4 belonging to an ex-prisoner of war. The registration plate shall
5 contain the letters "POW" and such other numbers or letters as
6 the department may determine and shall have the words "prisoner
7 of war" in at least ten-point bold type inscribed at the bottom
8 of the plate. The special registration plate may be used only on
9 one passenger vehicle or one other vehicle with a registered
10 gross weight of not more than 9,000 pounds.

11 (e) Documentation of eligibility.--The department may
12 require current holders of disabled veteran registration plates
13 and placards to provide documentation of their eligibility under
14 this section where current documentation is not sufficient.

15 (f) Return of plates and placard.--Upon the death of a
16 veteran to whom a [severely disabled] veteran with a severe
17 disability plate or placard has been issued under this section,
18 the [severely disabled] veteran with a severe disability plate
19 or placard shall be void 30 days after death and shall not be
20 displayed on any vehicle. The personal representative of the
21 deceased shall return the plate to the department. If there is
22 no personal representative, the spouse or, if there is no
23 spouse, the next of kin of the deceased shall return the plate
24 or placard to the department.

25 Section 2. Title 75 is amended by adding sections to read:
26 § 1360. Special plates for recipients of Silver Star.

27 Upon application of a person who is a recipient of the Silver
28 Star, accompanied by a fee of \$20 which shall be in addition to
29 the annual registration fee and by such documentation as the
30 department shall require, the department shall issue to the

1 person a special registration plate designating the vehicle so
2 licensed as belonging to a person who is a recipient of the
3 Silver Star. The special registration plate may be used on only
4 one passenger vehicle or one other vehicle with a registered
5 gross weight of not more than 9,000 pounds.

6 § 1361. Special plates for recipients of the Army Distinguished
7 Service Cross, Navy Cross or Air Force Cross.

8 Upon application of a person who is a recipient of the Army
9 Distinguished Service Cross, Navy Cross or Air Force Cross,
10 accompanied by a fee of \$20 which shall be in addition to the
11 annual registration fee and by such documentation as the
12 department shall require, the department shall issue to that
13 person a special registration plate designating the vehicle so
14 licensed as belonging to a person who is a recipient of the Army
15 Distinguished Service Cross, Navy Cross or Air Force Cross. The
16 special registration plate may be used on only one passenger
17 vehicle or one other vehicle with a registered gross weight of
18 not more than 9,000 pounds.

19 Section 3. This act shall take effect as follows:

20 (1) The addition of 75 Pa.C.S. §§ 1360 and 1361 shall
21 take effect in 60 days.

22 (2) The remainder of this act shall take effect
23 immediately.