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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 730      Session of  
1989

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INTRODUCED BY FOX, STABACK, NAHILL, SAURMAN, KOSINSKI, MARKOSEK,  
GODSHALL, TIGUE, CAWLEY, KUKOVICH, RYBAK, PRESTON, WASS,  
GIGLIOTTI, MAIALE, HAYDEN, RITTER, JOSEPHS, HALUSKA, KENNEY,  
SEMMELE, TRELLO, COLAFELLA, E. Z. TAYLOR, MORRIS, GEIST,  
BELARDI, CORRIGAN, VEON, CIVERA, THOMAS, RAYMOND, ANGSTADT,  
LASHINGER, SERAFINI, COHEN, MELIO, BUNT, ITKIN, PETRONE,  
HOWLETT, CORNELL AND J. TAYLOR, MARCH 13, 1989

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REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 13, 1989

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AN ACT

1 Requiring that railroad stations and subway stops have ramps and  
2 other improvements for handicapped persons and that rolling  
3 stock have certain devices for handicapped persons; and  
4 providing penalties.

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

7 Section 1. Statement of purpose.

8 The purpose of this act is to have fully accessible public  
9 transportation services for all persons with disabilities in  
10 order to guarantee nondiscrimination relating to their mobility  
11 and independence.

12 Section 2. Definitions.

13 The following words and phrases when used in this act shall  
14 have the meanings given to them in this section unless the  
15 context clearly indicates otherwise:

16 "Bus." A motor vehicle designed for carrying more than ten

1 passengers, exclusive of the driver, other than a taxicab, and  
2 designed and used by a transportation company for the  
3 transportation of persons for compensation.

4 "Rolling stock." Buses, trains, trolley cars, subway cars,  
5 vans and similar means of public transportation.

6 "Transportation company." A person, firm or corporation  
7 rendering public passenger service in this Commonwealth pursuant  
8 to common carrier authorization from the Pennsylvania Public  
9 Utility Commission or the Interstate Commerce Commission.

10 Section 3. Improvements for the handicapped at railroad  
11 stations and subway stops.

12 (a) Ramps.--A transportation company which renders fixed  
13 route public transportation service by rail in this Commonwealth  
14 shall install, at all railroad stations and subway stops and  
15 entrances thereto, such ramps and other improvements as may be  
16 necessary to make the stations and stops accessible to  
17 handicapped persons in wheelchairs and other persons who may  
18 have difficulty negotiating stairs.

19 (b) Bridge plates.--Trains and subway cars shall be equipped  
20 with a sufficient number of bridge plates for use between the  
21 cars and platforms by persons in wheelchairs.

22 Section 4. Electrical lifts on buses and trolleys.

23 All buses and trolley cars purchased or placed into operation  
24 by transportation companies for the first time after the  
25 effective date of this act shall be equipped with front door  
26 electrical lifts for wheelchairs. All new and existing lifts  
27 shall be properly maintained and functional for the life of the  
28 vehicle.

29 Section 5. Tie-downs on buses, trains and subway cars.

30 Transportation companies shall equip buses, train passenger

1 cars and subway passenger cars with a sufficient number of tie-  
2 downs to accommodate persons in all types of wheelchairs. Tie-  
3 down devices shall accommodate a minimum of 10% of the available  
4 seating space.

#### 5 Section 6. Specifications.

6 The Department of Transportation, in consultation with an 11-  
7 member advisory committee appointed by the Governor, composed of  
8 knowledgeable disabled persons with a variety of disabilities  
9 and representatives of organizations serving such persons, shall  
10 prepare design specifications for the ramps, platform plates,  
11 electrical lifts and tie-downs required by this act and make the  
12 specifications available to transportation companies.

#### 13 Section 7. Enforcement.

14 The Department of Transportation shall be responsible for the  
15 enforcement of this act.

#### 16 Section 8. Variance or exemption.

17 The Department of Transportation may grant a temporary one-  
18 time variance, not to exceed six months in duration, or  
19 exemptions from the provisions of this act if its enforcement  
20 would impose undue hardship on the transportation company and if  
21 the variance or exemptions would not have a material adverse  
22 effect on handicapped persons.

#### 23 Section 9. Operator compliance.

24 Transportation companies shall conduct and require their  
25 operators to complete a training course to teach the operators  
26 to respect the rights of disabled passengers regarding courtesy,  
27 sensitivity and the proper operation of all rolling stock  
28 facilities and services.

#### 29 Section 10. Passenger compliance.

30 A passenger who is not disabled who occupies a seat on

- 1 rolling stock reserved for the disabled commits a summary
- 2 offense.
- 3 Section 11. Effective date.
- 4 This act shall take effect in six months.