

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2838 Session of
1992

INTRODUCED BY PETRONE, KOSINSKI, SALOOM, VEON, BUNT, JOHNSON,
DERMODY, JOSEPHS, FAJT, PISTELLA, STABACK, BLACK, LAUGHLIN,
TRELLO, MELIO, GIGLIOTTI, DONATUCCI, NOYE AND J. TAYLOR,
JUNE 16, 1992

REFERRED TO COMMITTEE ON TRANSPORTATION, JUNE 16, 1992

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for handicapped placard.

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

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

7 § 1334. Return of registration plate.

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

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

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

16 (3) A dealer or "Miscellaneous Motor Vehicle Business"
17 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.

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

1 disabilities.

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

3 (1) Any person applying for a special plate or parking
4 placard for handicapped persons must present a statement,
5 certified by a physician licensed to practice in this
6 Commonwealth or in a contiguous state, that the handicapped
7 person is handicapped as provided in subsection (a).

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

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

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

26 (c) Physician's statement.--Except as provided in subsection
27 (d), a person applying for a special plate or parking placard
28 for a person with a disability must present a statement,
29 certified by a physician licensed to practice in this
30 Commonwealth or in a contiguous state, that the person has a

1 disability as provided in subsection (a). Once a person has been
2 duly certified by a physician as having a disability, as
3 provided in subsection (a), the applicant need not submit a
4 certification for subsequent renewals of registration for a
5 special plate for a person with a disability. A person who was
6 issued a disability plate under this section and no longer
7 qualifies for one shall not be charged a replacement fee for a
8 regular registration plate upon payment of the regular
9 registration fee.

10 (d) Exceptions.--In lieu of a physician's statement, a
11 person applying for a special plate or parking placard may
12 present a statement from a police officer certifying that the
13 person does not have full use of a leg, or both legs, or is
14 blind or a statement from an organization dedicated to helping
15 persons with disabilities that the applicant is a volunteer
16 driver for such persons.

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

20 § 1342. Veteran plates and placard.

21 (a) Severely disabled veteran plate.--On the application of
22 a veteran whose service-connected disability is certified at
23 100% by the service unit of the armed forces in which the
24 veteran served or by the United States Veterans' Administration
25 or who has a service-connected disability of the type enumerated
26 in section 1338 (relating to [handicapped] disability plate and
27 placard), the department shall issue a special registration
28 plate designating the vehicle as belonging to a [severely
29 disabled] veteran with a severe disability. The registration
30 plate shall have a white background, shall have blue numbers or

1 letters as the department may determine, shall have the words,
2 "disabled veteran," in at least ten-point bold type, inscribed
3 in red at the bottom of the plate, and shall include the
4 international symbol for handicapped access. Only one special
5 registration plate shall be issued to a veteran under this
6 section. It may be used only on one passenger vehicle or one
7 other vehicle with a registered gross weight of not more than
8 9,000 pounds.

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

19 (c) Disabled veteran plates.--On the application of any
20 veteran having a disability certified by the service unit of the
21 armed forces in which the veteran served or by the United States
22 Veterans' Administration as service-connected, the department
23 shall issue a special registration plate designating the vehicle
24 as belonging to a [disabled] veteran who is disabled. The
25 registration plate shall have a white background, shall have
26 numbers or letters as the department may determine and shall
27 have the words "disabled veteran" in at least ten-point bold
28 type inscribed at the bottom of the plate. Only one special
29 registration plate shall be issued to a veteran under this
30 section. It may be used only on one passenger vehicle or one

1 other vehicle with a registered gross weight of not more than
2 9,000 pounds.

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

15 (e) Documentation of eligibility.--The department may
16 require current holders of disabled veteran registration plates
17 and placards to provide documentation of their eligibility under
18 this section where current documentation is not sufficient.

19 Section 2. This act shall take effect immediately.