

## 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, J. TAYLOR AND  
STEELMAN, JUNE 16, 1992

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
NOVEMBER 16, 1992

## 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"

1 registration plate shall be returned if the business is  
2 discontinued.

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

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

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

15 § 1338. [Handicapped] Disability plate and placard.

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

18 (1) is blind;

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

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

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

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

29 (6) uses portable oxygen;

30 (7) has a cardiac condition to the extent that the

1 person's functional limitations are classified in severity as  
2 Class III or Class IV according to the standards set by the  
3 American Heart Association;

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

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

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

12 Special plates for [handicapped] persons with disabilities may  
13 also be issued for vehicles operated exclusively for the use and  
14 benefit of [handicapped] such persons.

15 (b) [Handicapped] Disability parking placard.--On the  
16 initial application or renewal application of any person who  
17 meets the qualifications of subsection (a), the department shall  
18 issue one special parking placard of such size and design as the  
19 department shall specify, designating the vehicle in which it is  
20 displayed as being used for the transportation of a

21 [handicapped] person with a disability. When parking the  
22 designated vehicle, the [handicapped] disability parking placard  
23 shall be prominently displayed in such a manner that it may be  
24 viewed from the front and rear of the vehicle by hanging it from  
25 the front windshield rearview mirror of a vehicle only when that  
26 vehicle is utilizing a parking space reserved for persons with  
27 disabilities. When there is no rearview mirror, or the placard  
28 is not designed in such a manner to accommodate hanging from a  
29 rearview mirror, the placard shall be displayed on the  
30 dashboard. Placards may also be issued for use in vehicles when

1 operated for the use and benefit of [handicapped] persons with  
2 disabilities.

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

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

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

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

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

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

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

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

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

22 § 1342. Veteran plates and placard.

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

1 disabled] veteran with a severe disability. The registration  
2 plate shall have a white background, shall have blue numbers or  
3 letters as the department may determine, shall have the words,  
4 "disabled veteran," in at least ten-point bold type, inscribed  
5 in red at the bottom of the plate, and shall include the  
6 international symbol for handicapped access. Only one special  
7 registration plate shall be issued to a veteran under this  
8 section. It may be used only on one passenger vehicle or one  
9 other vehicle with a registered gross weight of not more than  
10 9,000 pounds.

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

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

1 registration plate shall be issued to a veteran under this  
2 section. It may be used only on one passenger vehicle or one  
3 other vehicle with a registered gross weight of not more than  
4 9,000 pounds.

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

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

21 ~~Section 2. This act shall take effect immediately.~~ <—

22 SECTION 2. TITLE 75 IS AMENDED BY ADDING SECTIONS TO READ: <—

23 § 1350. SPECIAL PLATES FOR RECIPIENTS OF SILVER STAR.

24 UPON APPLICATION OF A PERSON WHO IS A RECIPIENT OF THE SILVER  
25 STAR, ACCOMPANIED BY A FEE OF \$20 WHICH SHALL BE IN ADDITION TO  
26 THE ANNUAL REGISTRATION FEE AND BY SUCH DOCUMENTATION AS THE  
27 DEPARTMENT SHALL REQUIRE, THE DEPARTMENT SHALL ISSUE TO THE  
28 PERSON A SPECIAL REGISTRATION PLATE DESIGNATING THE VEHICLE SO  
29 LICENSED AS BELONGING TO A PERSON WHO IS A RECIPIENT OF THE  
30 SILVER STAR. THE SPECIAL REGISTRATION PLATE MAY BE USED ON ONLY

1 ONE PASSENGER VEHICLE OR ONE OTHER VEHICLE WITH A REGISTERED  
2 GROSS WEIGHT OF NOT MORE THAN 9,000 POUNDS.

3 § 1351. SPECIAL PLATES FOR RECIPIENTS OF THE ARMY DISTINGUISHED  
4 SERVICE CROSS, NAVY CROSS OR AIR FORCE CROSS.

5 UPON APPLICATION OF A PERSON WHO IS A RECIPIENT OF THE ARMY  
6 DISTINGUISHED SERVICE CROSS, NAVY CROSS OR AIR FORCE CROSS,  
7 ACCOMPANIED BY A FEE OF \$20 WHICH SHALL BE IN ADDITION TO THE  
8 ANNUAL REGISTRATION FEE AND BY SUCH DOCUMENTATION AS THE  
9 DEPARTMENT SHALL REQUIRE, THE DEPARTMENT SHALL ISSUE TO THAT  
10 PERSON A SPECIAL REGISTRATION PLATE DESIGNATING THE VEHICLE SO  
11 LICENSED AS BELONGING TO A PERSON WHO IS A RECIPIENT OF THE ARMY  
12 DISTINGUISHED SERVICE CROSS, NAVY CROSS OR AIR FORCE CROSS. THE  
13 SPECIAL REGISTRATION PLATE MAY BE USED ON ONLY ONE PASSENGER  
14 VEHICLE OR ONE OTHER VEHICLE WITH A REGISTERED GROSS WEIGHT OF  
15 NOT MORE THAN 9,000 POUNDS.

16 § 1352. WILD RESOURCE CONSERVATION PLATE.

17 THE DEPARTMENT, IN CONSULTATION WITH THE WILD RESOURCE  
18 CONSERVATION BOARD, SHALL DESIGN A SPECIAL WILD RESOURCE  
19 CONSERVATION REGISTRATION PLATE. UPON APPLICATION OF ANY PERSON,  
20 ACCOMPANIED BY A FEE OF \$35 WHICH SHALL BE IN ADDITION TO THE  
21 ANNUAL REGISTRATION FEE, THE DEPARTMENT SHALL ISSUE THE PLATE  
22 FOR A PASSENGER CAR OR OTHER VEHICLE WITH A REGISTERED GROSS  
23 WEIGHT OF NOT MORE THAN 9,000 POUNDS. THE WILD RESOURCE  
24 CONSERVATION FUND SHALL RECEIVE \$15 OF EACH ADDITIONAL FEE FOR  
25 THIS PLATE.

26 SECTION 3. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

27 (1) THE ADDITION OF 75 PA.C.S. §§ 1350, 1351 AND 1352  
28 SHALL TAKE EFFECT IN 60 DAYS.

29 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT  
30 IMMEDIATELY.