

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

No. 644 Session of 1991

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MARCH 12, 1991

## AN ACT

1 Creating a uniform photo identification card system for all  
2 municipal police officers and municipal authority security  
3 officers employed in this Commonwealth; requiring all  
4 municipal police and municipal authority security officers to  
5 carry uniform photo identification cards for public  
6 identification purposes; creating a central computerized  
7 registry of all municipal police officers employed in this  
8 Commonwealth; creating educational programs to promote public  
9 awareness of the municipal police identification card system  
10 and municipal police registry; imposing additional  
11 responsibilities on the Municipal Police Officers' Education  
12 and Training Commission, the Department of Education and the  
13 Department of Transportation; providing penalties; and making  
14 an appropriation.

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11 The General Assembly of the Commonwealth of Pennsylvania  
12 hereby enacts as follows:

13 Section 1. Short title.

14 This act shall be known and may be cited as the Uniform  
15 Municipal Police Identification Act.

16 Section 2. Legislative findings and purpose.

17 (a) Findings.--The General Assembly finds and declares as  
18 follows:

19 (1) While the exact number is not known, it is estimated  
20 that there are presently over 22,000 municipal police  
21 officers employed in this Commonwealth by over 1,000  
22 political subdivisions.

23 (2) Each employing municipality or municipal authority  
24 presently establishes its own form of identification for its  
25 municipal police officers.

26 (3) While uniforms and badges or shields are the normal  
27 form of identification for municipal police officers, other  
28 than detectives and municipal police officers working  
29 undercover, the type of uniform and metal badge or shield  
30 worn by municipal police officers presently employed by these

1 over 1,000 political subdivisions varies considerably.

2 (4) Due to the public's ability to easily obtain metal  
3 police badges from mail order catalogs and uniform and pawn  
4 shops, as well as from other sources, there has been over the  
5 years a considerable number of cases in this Commonwealth in  
6 which individuals with criminal intent have, by displaying a  
7 metal badge, misrepresented themselves as municipal police  
8 officers in this Commonwealth.

9 (5) With increasing frequency, this misrepresentation  
10 has resulted in violent acts being taken against unsuspecting  
11 members of the general public, resulting in bodily harm and  
12 even death.

13 (b) Purpose.--In order to provide the public greater  
14 protection from individuals intent on misrepresenting themselves  
15 as municipal police officers for whatever purpose, it is the  
16 intent of this act to:

17 (1) Establish and have maintained by the Commonwealth a  
18 centralized municipal police registry listing the names of  
19 all municipal police officers currently employed at any given  
20 time, and the name and address of the municipality or  
21 municipal authority employing them.

22 (2) Create a uniform photo identification card for all  
23 municipal police officers employed in this Commonwealth which  
24 would include a recent photograph of the municipal police  
25 officer, would have to be carried by the municipal police  
26 officer at all times while on duty and would have to be  
27 updated biennially.

28 (3) Establish educational programs to alert children in  
29 this Commonwealth, as well as members of the general public,  
30 to this new municipal police identification card system and

1 of their right to request to see proper photo identification  
2 prior to accompanying anyone identifying himself as a  
3 municipal police officer or providing him access to their  
4 residence, vehicle or place of business.

5 Section 3. Definitions.

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

9 "Commission." The Municipal Police Officers' Education and  
10 Training Commission established pursuant to the act of June 18,  
11 1974 (P.L.359, No.120), referred to as the Municipal Police  
12 Education and Training Law.

13 "Department." The Department of Transportation of the  
14 Commonwealth.

15 "Municipal authority security officer." Any full-time or  
16 part-time private police officer or security officer, as  
17 authorized and described in section 10(ee) and (ff) of the act  
18 of May 28, 1937 (P.L.955, No.265), known as the Housing  
19 Authorities Law, having the same powers and duties as a  
20 municipal police officer employed in this Commonwealth and  
21 required to be trained under the provisions of the act of June  
22 18, 1974 (P.L.359, No.120), referred to as the Municipal Police  
23 Education and Training Law.

24 "Municipal police department." Any bureau or department of a  
25 political subdivision or municipal authority having general  
26 police powers and charged with enforcing municipal ordinances  
27 and with making arrests in connection with the enforcement of  
28 criminal or traffic laws. The term shall include a political  
29 subdivision or a municipal authority without a formal bureau or  
30 department of police employing at least one police officer full

1 time or part time.

2 "Municipal police officer." Any full-time or part-time  
3 employee of a city, borough, town, incorporated town, township  
4 or county police department required to be trained under the  
5 provisions of the act of June 18, 1974 (P.L.359, No.120),  
6 referred to as the Municipal Police Education and Training Law,  
7 as well as all municipal authority security officers employed in  
8 this Commonwealth and required to be trained under the  
9 provisions of the act of June 18, 1974 (P.L.359, No.120),  
10 referred to as the Municipal Police Education and Training Law.

11 "Official State seal." A State seal identical to that  
12 embossed on photo drivers' licenses currently issued by the  
13 Department of Transportation.

14 "PennDOT photo license center." Any of the photo license  
15 centers designated and authorized by the Department of  
16 Transportation to prepare and issue photo drivers' licenses in  
17 this Commonwealth.

18 "Photo identification card order form." A standard official  
19 order form, to be prepared and initially supplied by the  
20 Municipal Police Officers' Education and Training Commission and  
21 subsequently ordered by a municipal police department, to be  
22 used in the procurement of a uniform photo identification card  
23 for a municipal police officer employed therein.

24 "Termination form." A standard official form prepared by the  
25 Municipal Police Officers' Education and Training Commission  
26 which is to be submitted to the commission by a municipal police  
27 department at the time of the termination of employment of a  
28 municipal police officer employed therein.

29 "Termination of employment." The discontinuance of  
30 employment as a municipal police officer due to death, health

1 problems, mandatory or voluntary retirement, forced removal or  
2 voluntary self-removal.

3 Section 4. Uniform municipal police photo identification card  
4 system.

5 (a) Establishment.--There is hereby established in this  
6 Commonwealth a uniform municipal police photo identification  
7 card system to be administered by the commission. Photo  
8 identification cards developed shall be issued biennially.

9 (b) Administration.--The program shall be developed and  
10 administered by the commission pursuant to the requirements of  
11 section 7.

12 (c) Cooperation.--The Department of Transportation and the  
13 Department of Education shall cooperate with the commission in  
14 the establishment and maintenance of the photo identification  
15 card system established by this act, as required by sections 9  
16 and 11 respectively.

17 (d) Utilization of uniform card.--All municipal police  
18 officers employed in this Commonwealth after the effective date  
19 of this act shall, with the exception of plainclothes municipal  
20 police officers involved in undercover investigations, be  
21 required to carry while on duty and present upon request, when  
22 offering assistance to the public or when making an arrest, the  
23 uniform photo identification card developed by the commission.

24 (e) Biennial renewal.--Municipal police officers shall  
25 obtain a new photo identification card biennially pursuant to  
26 the requirements of section 10.

27 Section 5. Centralized official municipal police registry.

28 (a) Establishment.--There is hereby established in this  
29 Commonwealth a centralized official municipal police registry to  
30 be administered by the commission.

1 (b) Administration.--The registry shall be developed and  
2 maintained by the commission pursuant to the requirements of  
3 section 8.

4 (c) Cooperation.--All municipal police officers and  
5 municipal police departments, as well as PennDOT, shall  
6 cooperate with the commission in the establishment and  
7 maintenance of the official municipal police registry as  
8 required by sections 8 and 9 respectively.

9 Section 6. Information from registry.

10 The computerized registry established and maintained by the  
11 commission pursuant to this act shall provide immediate and  
12 accurate information relative to the current employment status  
13 of all municipal police officers employed in this Commonwealth  
14 at any given time, when the need for such verification shall  
15 arise. The commission shall develop a policy with respect to  
16 access to the registry by the media, other law enforcement  
17 agencies and the general public.

18 Section 7. Administration of photo identification card system.

19 (a) Notification.--

20 (1) Within 90 days following the effective date of this  
21 act, the commission shall be required to notify all municipal  
22 police departments within this Commonwealth, in writing, of  
23 the provisions of this act, the responsibilities of the  
24 municipal police department and the responsibilities of all  
25 municipal police officers employed by such department.

26 (2) Within 60 days of receipt of the written  
27 notification from the commission, each municipal police  
28 department shall notify the commission, in writing, of the  
29 names of all full-time and part-time municipal police  
30 officers employed by such department at that time, pursuant

1 to the requirements of section 10.

2 (b) Establishment of format.--

3 (1) The commission shall have six months from the  
4 effective date of this act to establish a standard format for  
5 the photo identification card and to develop and have printed  
6 a standard photo identification card order form.

7 (2) Prior to the termination of this initial six-month  
8 period, the commission shall send the necessary number of  
9 photo identification card order forms to each municipal  
10 police department within this Commonwealth, based on the  
11 information submitted by the municipal police departments to  
12 the commission as required by subsection (a)(2).

13 (3) The photo identification card order form shall  
14 consist of four color-coded single-page detachable copies.  
15 Printed clearly on each detachable page of the four-page  
16 order form shall be an indication as to who is to retain that  
17 particular copy, and, in the case of the commission's copy,  
18 the commission's current mailing address and who is  
19 responsible for forwarding it to the commission.

20 (c) Municipal duty.--Upon receipt by the municipal police  
21 department of the order forms from the commission, the police  
22 chief or individual responsible for the direct supervision of  
23 municipal police officers shall insure that the requested  
24 information is typed on page one of the order form for each  
25 municipal police officer employed by the municipality or  
26 municipal authority and that the appropriate form is then  
27 provided to each municipal police officer to have notarized and  
28 to take to a PennDOT photo license center for processing  
29 pursuant to section 9.

30 (d) Division of order form.--Upon surrender of the photo



1 identification card order form at the PennDOT photo license  
2 center by the municipal police officer, and the taking of the  
3 photograph, the order form is to be divided as follows:

4 (1) One copy is to be sent by the department to the  
5 commission.

6 (2) One copy is to be kept by the department.

7 (3) One copy is to be kept by the employing municipal  
8 police department.

9 (4) One copy is to be kept by the municipal police  
10 officer for the personal record of the officer.

11 (e) Information on order form.--The information to be  
12 provided on the photo identification card order form shall be as  
13 follows:

14 (1) The municipal police officer's full name, Social  
15 Security number, weight, height, race, date of birth, sex,  
16 eye color and employment status, whether full time or part  
17 time.

18 (2) A serial number issued by the commission identical  
19 to the photo identification card order form number.

20 (3) Name, address and telephone number of the municipal  
21 police department where the municipal police officer is  
22 currently employed.

23 (4) Signature space for the municipal police officer.

24 (5) Signature space for the individual taking the  
25 photograph at the PennDOT photo license center and the date  
26 taken.

27 (6) Such other information as the commission may  
28 require.

29 (f) Information on photo card.--The information under  
30 subsection (e) shall also appear on the uniform photo

1 identification card developed by the commission. In addition,  
2 the following information shall be present:

3 (1) The official State seal of the Commonwealth.

4 (2) A standard color field, to be determined by the  
5 commission and changed biennially.

6 (3) The municipal police officer's official photo.

7 (4) The expiration date, which shall correspond to two  
8 years from the date the information was entered onto page one  
9 of the photo identification card order form.

10 (g) Biennial update.--The commission shall require that the  
11 municipal police officer's photo and the information appearing  
12 on the photo identification card be updated biennially and shall  
13 notify all municipal police departments at the appropriate  
14 times.

15 (h) Termination forms.--

16 (1) The commission, during the initial six months  
17 following the effective date of this act, shall also develop  
18 and have printed for distribution to all municipal police  
19 departments, standard termination forms to be used at the  
20 time of a municipal police officer's termination of  
21 employment.

22 (2) At the time any employed municipal police officer  
23 terminates employment for any reason, the municipal police  
24 department employing that officer shall obtain from the  
25 officer the photo identification card, which shall be  
26 submitted by the municipal police department to the  
27 commission, along with the termination form, pursuant to the  
28 requirements of section 10(c).

29 (3) The commission, upon receipt of the termination form  
30 and accompanying photo identification card from a municipal

1 police department, shall destroy the issued card and correct  
2 its records and police registry accordingly.

3 (4) Municipal police officers who terminate employment  
4 with one municipal police department and who are subsequently  
5 rehired by another municipal police department in this  
6 Commonwealth shall surrender their current photo  
7 identification cards required by this act at the time their  
8 employment with the first police department is terminated.

9 Upon their employment by another municipal police department,  
10 they shall follow the procedures provided under section 10(b)  
11 to obtain a new photo identification card.

12 (i) Lost or stolen cards.--The commission shall be  
13 responsible for the development of a policy for cases in which  
14 municipal police photo identification cards are lost or stolen.

15 (j) Temporary surrender of card.--The commission shall be  
16 responsible for the development of rules and regulations  
17 governing the temporary surrender of a photo identification card  
18 by a municipal police officer charged with a criminal offense or  
19 in any other case which the commission may deem appropriate.

## 20 Section 8. Centralized official municipal police registry.

21 (a) Establishment.--The commission, through its own staff or  
22 by contract, shall, within 12 months following the effective  
23 date of this act, develop and implement a central computerized  
24 data base for all municipal police officers employed in this  
25 Commonwealth. This data base shall be referred to as the  
26 Official Municipal Police Registry.

27 (b) Comprehensive record capability.--This centralized data  
28 base is to provide a comprehensive record of all municipal  
29 police officers employed in this Commonwealth and shall include,  
30 but not be limited to, information delineated on the photo

1 identification card order form described in section 7(e).

2 (c) Information input.--

3 (1) The commission, upon receipt of its copy of the  
4 photo identification card order form, as provided by section  
5 9(b), shall cause this information to be immediately entered  
6 into the computerized municipal police registry maintained by  
7 the commission.

8 (2) All information obtained from the photo  
9 identification cards system established by this act shall be  
10 entered by the commission into the computerized central data  
11 base no later than 12 months following the effective date of  
12 this act.

13 (d) Record updates.--It shall be the responsibility of the  
14 commission to update the employment record of all municipal  
15 police officers employed in this Commonwealth biennially as new  
16 photo identification cards are issued. Changes relative to  
17 employment status resulting from the termination of employment  
18 shall be entered into the computerized registry immediately upon  
19 the commission's receipt of the termination form from the  
20 municipal police department employing the affected municipal  
21 police officer.

22 Section 9. Department of Transportation.

23 (a) Card preparation.--The department shall authorize its  
24 existing photo license centers to prepare and issue, biennially,  
25 a photo identification card to each municipal police officer  
26 employed in this Commonwealth upon the presentation by the  
27 municipal police officer, at a PennDOT photo license center, of  
28 a notarized photo identification card order form described in  
29 section 7(e), pursuant to the procedures provided for in section  
30 10(b).

1       (b) Signature and transmission of copies.--Upon the issuance  
2 of the photo identification card to the municipal police  
3 officer, the individual issuing the card for the department  
4 shall sign and date the appropriate copy of the order form  
5 acknowledging the issuance of the card. This copy shall be sent  
6 by the department to the commission for its records in order to  
7 insure that all municipal police officers employed in this  
8 Commonwealth have complied with the provisions of this act. One  
9 copy of the order form so indicated shall be retained by the  
10 department for its records. The remaining two copies of the  
11 order form shall be given back to the municipal police officer  
12 upon the issuance of the photo identification card. One of these  
13 two copies so indicated is to be retained by the municipal  
14 police officer for his personal records, and one copy is to be  
15 returned to the municipal police department where he is employed  
16 for its permanent record.

17       (c) Reimbursement.--The commission shall reimburse the  
18 department for all administrative and preparation costs incurred  
19 in carrying out its responsibilities under this act, initially,  
20 and in subsequent years, as updated photo identification cards  
21 are issued.

22 Section 10. Responsibilities of municipal police and security  
23 officers and municipal police departments.

24       (a) Listing of municipal police officers employed.--All  
25 municipal police departments in this Commonwealth shall, within  
26 60 days of receipt from the commission of a written description  
27 of their duties and responsibilities and the responsibilities of  
28 the municipal police officers employed by them, as required  
29 section 7(a)(1), prepare and submit in writing to the  
30 commission, a list of names of all full-time and part-time

1 municipal police officers currently employed. Following the  
2 receipt of this list, the commission shall mail to each  
3 municipal police department submitting names the appropriate  
4 number of photo identification card order forms. Additional  
5 forms may be ordered from the commission by any municipal police  
6 department at the time any new municipal police officer is  
7 employed.

8 (b) Responsibilities of municipal police officers.--Upon  
9 receipt by a municipal police officer of a photo identification  
10 card order form pursuant to the procedures described in section  
11 7(c), the municipal police officer shall have 15 days in which  
12 to have the photo identification cards order form notarized and  
13 to present the order form at a PennDOT photo license center for  
14 processing and the issuance of a photo identification card as  
15 provided for by this act.

16 (c) Termination of employment.--Upon the termination of  
17 employment with a municipal police department, for any reason,  
18 by a municipal police officer in possession of a photo  
19 identification card issued pursuant to the requirements of this  
20 act, the photo identification card shall be immediately  
21 surrendered, by the municipal police officer or the estate, to  
22 the municipal police department to be forwarded by the municipal  
23 police department to the commission, along with the termination  
24 form described in section 7(h)(1).

25 (d) Penalties.--

26 (1) Any municipal police officer who fails to obtain a  
27 uniform photo identification card pursuant to the  
28 requirements and time limitations established by this act, or  
29 who upon termination of employment fails to immediately  
30 surrender the photo identification card to the municipal

1 police department where he was last employed commits a  
2 summary offense and shall be personally liable for the cost  
3 of any subsequent photo identification cards which may be  
4 issued to that municipal police officer.

5 (2) The failure of any municipal police department to  
6 meet the requirements of this act shall result in that  
7 municipal police department being responsible for all costs  
8 associated with the issuance of the initial photo  
9 identification card for municipal police officers currently  
10 employed, or for the cost of the issuance of all photo  
11 identification cards issued in the future to municipal police  
12 officers employed by the municipal police department, which  
13 costs would normally be paid by the commission.

14 (3) Any person who forges or alters a uniform police  
15 identification card as described in this act, or who is in  
16 possession of a forged or altered card, commits a felony of  
17 the second degree.

18 (e) Withholding of moneys for noncompliance.--In addition to  
19 any other penalties, the Governor shall have the discretion to  
20 withhold any and all moneys due the municipality served by the  
21 municipal police department failing to meet the requirements of  
22 this act, until the provisions of this act are fully complied  
23 with to the satisfaction of the commission.

24 (f) Municipal costs.--The municipal police photo  
25 identification card issued under provisions of this act shall be  
26 provided at no cost to all municipal police officers employed in  
27 this Commonwealth and shall be paid for by the commission except  
28 as provided under subsection (d). All administrative costs  
29 incurred by a municipal police department in complying with the  
30 requirements of this act, including notarization costs

1 associated with the photo identification card order form, shall  
2 be paid for by the respective municipal police departments.

3 Section 11. Establishment of educational programs to promote  
4 public awareness.

5 (a) Cooperation.--The Department of Education and the  
6 commission shall cooperate in the creation of educational  
7 programs to promote greater public awareness of:

8 (1) The new uniform municipal police photo  
9 identification card system.

10 (2) The official municipal police registry.

11 (3) The public's right to request to see proper photo  
12 identification prior to accompanying anyone identifying  
13 himself as a municipal police officer or providing the  
14 individual access to a residence, vehicle or place of  
15 business.

16 (b) Commission educational program.--The commission shall,  
17 during the first 12 months immediately following the passage of  
18 this act, prepare or have prepared, by contract, public  
19 awareness educational programs to accomplish the objectives of  
20 this section. These educational public awareness programs are to  
21 begin 12 months following the effective date of this act and  
22 shall continue as long as the commission deems necessary,  
23 provided that funds are available.

24 (c) Assistance in development.--The Department of Education  
25 shall assist the commission in the development of educational  
26 programs to be implemented within the public and private  
27 elementary and secondary schools of this Commonwealth. These  
28 programs shall include, but not be limited to, written  
29 literature, school assembly programs, films, etc. The commission  
30 shall reimburse the Department of Education for any costs



1 incurred by the department in assisting the commission in the  
2 preparation and implementation of the programs.

3 (d) Statewide disbursement.--In order to promote awareness  
4 on the part of the general public of the objectives of this  
5 section, the commission shall solicit the Statewide involvement  
6 of appropriate community service groups and organizations, as  
7 well as Statewide representatives of the media, in the  
8 development of public service announcements for radio,  
9 television and the print media, as well as advertising campaigns  
10 and other public relations programs. The commission may  
11 reimburse participants for any direct expenses incurred which  
12 the commission deems appropriate.

#### 13 Section 12. Reports.

14 The commission shall, at the end of 24 months following the  
15 effective date of this act, provide a written report to the  
16 General Assembly, which report shall:

17 (1) Itemize all expenses incurred to date and moneys  
18 remaining from the initial appropriation, if any.

19 (2) Describe any problems associated with implementing  
20 the provisions of this act and make recommendations for  
21 resolving any problems.

22 (3) Estimate annual appropriations which will be needed  
23 by the commission in the future to properly maintain and  
24 update the municipal police photo identification card system  
25 and registry established by this act.

#### 26 Section 13. Appropriation.

27 The sum of \$2,000,000, or as much thereof as may be  
28 necessary, is hereby appropriated from the General Fund to the  
29 Municipal Police Officers' Education and Training Commission for  
30 the fiscal year July 1, 1991, to June 30, 1992, to pay for all

- 1 costs associated with meeting the requirements of this act.
- 2 Section 14. Effective date.
- 3 This act shall take effect immediately.