

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2757 Session of  
2008

INTRODUCED BY HICKERNELL, BEAR, CURRY, CUTLER, EVERETT, FLECK,  
GEIST, GILLESPIE, HERSHEY, HESS, KILLION, MANN, MARSHALL,  
MELIO, R. MILLER, MURT, NAILOR, D. O'BRIEN, PAYNE, PETRONE,  
PHILLIPS, PYLE, READSHAW, REICHLEY, ROCK, SAYLOR, SCAVELLO,  
SIPTROTH, SONNEY, STERN, SWANGER, WATSON AND YOUNGBLOOD,  
SEPTEMBER 9, 2008

REFERRED TO COMMITTEE ON TRANSPORTATION, SEPTEMBER 9, 2008

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for additional parking  
3 regulations.

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

6 Section 1. Section 3354(d)(3), (e) and (f) of Title 75 of  
7 the Pennsylvania Consolidated Statutes are amended to read:

8 § 3354. Additional parking regulations.

9 \* \* \*

10 (d) Person with a disability and disabled veterans.--

11 \* \* \*

12 (3) (i) Except for persons parking vehicles lawfully  
13 bearing a person with a disability or severely disabled  
14 veteran registration plate or displaying a person with a  
15 disability or severely disabled veteran parking placard  
16 when such vehicles are being operated by or for the

1 transportation of a person with a disability or a  
2 severely disabled veteran, no person shall park a vehicle  
3 on public or private property reserved for a person with  
4 a disability or severely disabled veteran which property  
5 has been so posted in accordance with departmental  
6 regulations. Regulations shall require that parking  
7 spaces designated with an international symbol for access  
8 for persons with disabilities on a sign are posted with a  
9 sign stating the penalty amount indicated in subsection  
10 (f) and that vehicles in violation of the subsection may  
11 be towed and require that signs be replaced when they  
12 become either obsolete or missing with all costs to  
13 replace the necessary signs to be borne by the persons  
14 responsible for signing the particular location. The  
15 absence of a sign stating the penalty amount at parking  
16 spaces designated with an international symbol for access  
17 for persons with disabilities shall not preclude the  
18 enforcement of this subsection. A vehicle which is  
19 unlawfully parked in a designated person with a  
20 disability parking area may be removed from that area by  
21 towing and may be reclaimed by the vehicle owner upon  
22 payment of the towing costs. A vehicle may only be towed  
23 under this paragraph if the parking space is posted with  
24 a sign indicating that vehicles in violation of this  
25 section may be towed.

26 (ii) Local authorities shall have the power and may,  
27 by ordinance or resolution, authorize a person with a  
28 disability and severely disabled veterans to issue  
29 statements to violators or violating vehicles for  
30 violation of subparagraph (i). The form of the statement

1 shall be as prescribed by the local authorities.

2 (iii) No occupancy or driveway permit may be issued  
3 to a person whose property is reserved for a person with  
4 a disability or a severely disabled veteran if the  
5 property is not posted with a sign stating the penalty  
6 amount indicated in subsection (f).

7 (iv) No person shall park in a manner that makes  
8 inaccessible or blocks the access aisle located next to a  
9 parking space reserved for persons with physical  
10 disabilities which is mandated under the Americans with  
11 Disabilities Act of 1990 (Public Law 101-336, 104 Stat.  
12 327)).

13 (e) Unauthorized use.--

14 (1) An operator of a vehicle bearing a person with a  
15 disability or severely disabled veteran plate or displaying a  
16 person with a disability or severely disabled veteran parking  
17 placard shall not make use of the parking privileges accorded  
18 to a person with a disability and severely disabled veterans  
19 under subsection (d)(3) unless the operator is a person with  
20 a disability or a severely disabled veteran or unless the  
21 vehicle is being operated for the transportation of a person  
22 with a disability or severely disabled veteran.

23 (2) A law enforcement officer may request from an  
24 operator of a vehicle bearing a person with a disability or  
25 severely disabled veteran parking placard the disability  
26 identification card that is issued by the department at the  
27 time the placard is issued whenever an officer suspects a  
28 violation of this section. Failure to comply with this  
29 request for identification may result in the officer issuing  
30 a citation for violation of this section.

\* \* \*

(f) Penalty.--

(1) A person violating subsection (a), (b) or (d)(1) is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than \$15.

(2) A person violating subsection (d)(2) or (3) or (e) is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$50 nor more than \$200. If a person is convicted under subsection (d)(2) or (3) in the absence of a sign stating the penalty amount, the fine imposed may not exceed \$50.

(3) A person violating subsection (e)(2) is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$50.

\* \* \*

Section 2. This act shall take effect in 60 days.