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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 24 Session of  
2021

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INTRODUCED BY A. WILLIAMS AND FONTANA, JANUARY 20, 2021

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REFERRED TO LAW AND JUSTICE, JANUARY 20, 2021

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AN ACT

1 Providing for the Jayanna Powell Hit-and-Run Direct Notification  
2 System and for definitions; requiring registration of motor  
3 vehicle repair facilities; and providing for penalties.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Jayanna  
8 Powell Hit-and-Run Direct Notification Act.

9 Section 2. Legislative findings.

10 The General Assembly finds and declares as follows:

11 (1) Hit-and-run accidents, in which the driver flees the  
12 scene of an accident, result in the death of 1,500 Americans  
13 each year according to the American Automobile Association.  
14 Approximately 60% of the victims of these accidents are  
15 pedestrians.

16 (2) Fleeing the scene of an accident is prohibited by 75  
17 Pa.C.S. §§ 3742 (relating to accidents involving death or  
18 personal injury) and 3744 (relating to duty to give  
19 information and render aid) due to the duty of motorists

1 involved in an accident to render aid and provide  
2 information. It is in the best interest of the public for  
3 motorists involved in accidents that result in serious bodily  
4 injury or death to stay at the scene of an accident and to  
5 submit to authorities for questioning.

6 (3) On November 18, 2016, a driver traveling at a high  
7 rate of speed struck eight-year-old Jayanna Powell of West  
8 Philadelphia as she walked home from school, resulting in her  
9 death. The driver fled the scene of the accident, leaving  
10 Jayanna's family aggrieved and without hope for justice.

11 (4) The driver who struck Jayanna, aided by an  
12 accomplice, took the vehicle to a repair facility two  
13 counties away from Philadelphia so as to evade detection. In  
14 order to more quickly identify and apprehend motorists who  
15 have fled the scene of an accident, the General Assembly  
16 deems it necessary to implement a system of direct  
17 notification to motor vehicle repair facilities of all  
18 vehicles involved in hit-and-run accidents.

### 19 Section 3. Definitions.

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

23 "Department." The Department of Transportation of the  
24 Commonwealth.

25 "Hit-and-run accident." A motor vehicle accident as provided  
26 in 75 Pa.C.S. § 3742 (relating to accidents involving death or  
27 personal injury) in which one or more motorists involved in the  
28 accident fail to remain at the scene until law enforcement  
29 authorities arrive or otherwise comply with the motorist duties  
30 under 75 Pa.C.S. § 3744 (relating to duty to give information

1 and render aid).

2 "Motor vehicle repair facility." A commercial garage, shop  
3 or other business operating within this Commonwealth that  
4 repairs damage to motor vehicles.

5 "System." The Jayanna Powell Hit-and-Run Direct Notification  
6 System established in section 4 of this act.

7 Section 4. The Jayanna Powell Hit-and-Run Direct Notification  
8 System.

9 (a) Establishment.--The department shall develop and  
10 maintain a system that compiles information regarding vehicles  
11 that have fled the scene of a motor vehicle accident to notify  
12 motor vehicle repair facilities.

13 (b) Notification requirements.--After a hit-and-run accident  
14 resulting in serious bodily injury or death, the investigating  
15 law enforcement authority shall directly notify all motor  
16 vehicle repair facilities in this Commonwealth via the system.

17 (c) Information.--The information provided on the system  
18 regarding the vehicle shall include, as available, the following  
19 about the motor vehicle operated by the motorist who failed to  
20 remain at the scene:

21 (1) Vehicle make, model, year and color.

22 (2) License plate number.

23 (3) Unique identifying characteristics.

24 (4) Extent of damage.

25 Section 5. Registration required.

26 A motor vehicle repair facility shall register with the  
27 department, in a manner prescribed by the department, to ensure  
28 accurate contact information for providing information through  
29 the system.

30 Section 6. Duty to report.

1       Upon discovery of a vehicle in the motor vehicle repair  
2 facility's possession reasonably matching that of a vehicle  
3 described in a direct notification on the system, the owner or  
4 operator of the motor vehicle repair facility shall inform the  
5 law enforcement agency that initiated the direct notification.

6 Section 7. Penalties.

7       The owner or operator of a motor vehicle repair facility who  
8 is required under this act to report a vehicle at the motor  
9 vehicle repair facility and fails to do so commits a misdemeanor  
10 of the third degree.

11 Section 8. Effective date.

12       This act shall take effect in 30 days.