



PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP SUPERVISORS

June 20, 2018

TO: Members of the House Transportation Committee

FROM: Elam M. Herr, Assistant Executive Director

SUBJECT: Hearing on SB 888 (PN 1242)

SB 888 (PN 1242) is before the House Transportation Committee and a hearing has been scheduled for this Thursday on this bill. I sincerely apologize that I am unable to attend this hearing and present testimony. We ask that you take the following comments into consideration before voting on the bill.

SB 888 amends the Vehicle Code to establish additional regulations on parking restrictions for persons with a disability. We take issue with several provisions that appear to put the responsibility for signage on state roads and state-owned property on municipalities.

Here are the specific concerns:

On page 3, line 30, Section 3354 (d)(4)(i) it stipulates that "PennDOT shall not be the owner of parking spaces and not responsible for parking signs, etc." Since disability spaces must be properly marked, we believe this provision would be interpreted by the department as giving municipalities the responsibility for the signage for these spaces. On a state road this may not be a problem, but what about lands owned and that are the responsibility of the department? An example is the Herr Street PennDOT maintenance facility. This section would relieve the department of the obligation to place and maintain signs on their property, and potentially through regulation, or most likely policy, require the municipality to take responsibility for these signs. This is unacceptable.

On page 4, line 3, Section 3354 (d)(4)(i) states that the department may permit a "person" or municipality to "design, install, and maintain stopping, standing or parking signs, access aisles or parking space markings." Although it goes further to state that the department may promulgate regulations pertaining to this authority, it is giving an "individual" the ability to place their own "designed" signs on public roads. Even giving a municipality the ability to design the sign could result in confusion and complications. Without standardization, enforcement may be an issue. This section appears to place Pennsylvania in conflict with the federal Manual on Uniform Traffic Control Devices, which Pennsylvania has adopted.

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On page 4, line 21, Section 3354(d)(4)(iv) would allow not only a police officer or a parking enforcement specialist to have an illegally parked vehicle (*no handicapped plate or placard*) towed, it would also allow the “owner or lessee of the space.” We presume “owner or lessee of the space” refers to a space on private property. However, it could be assumed by someone that since they “requested or marked” the space that they now “own or lease” the space on a public road. I don’t think this is the intent, but it could result in this conclusion. It also could result in this “individual” taking action to have another individual’s vehicle towed from a public road without first contacting the proper authorities. If our understanding of this section is correct, the language is unacceptable and needs corrected.

Thank you for the opportunity to provide comments on this issue and I again apologize that I am unable to attend the meeting.