

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 703

Session of
1979

INTRODUCED BY SMITH, LLOYD, ORLANDO AND ROMANELLI, MAY 7, 1979

REFERRED TO TRANSPORTATION, MAY 7, 1979

AN ACT

1 To provide for the safety and comfort of passengers on public
2 conveyances; to provide for the security of public passenger
3 terminals; to prohibit disorderly conduct board public
4 conveyances; to authorize the removal of disorderly or
5 intoxicated passengers from public conveyances or terminals;
6 to prohibit the possession of explosives or deadly weapons on
7 public conveyances or in public terminals; to authorize
8 enforcement provisions of this act by personnel operating
9 public conveyances; and to provide penalties for violations
10 of this act.

11 WHEREAS, The General Assembly finds that the continued
12 orderly operation of public passenger conveyances of all types
13 is beneficial to the commerce of the Commonwealth of
14 Pennsylvania and to the convenience of the citizens; and

15 WHEREAS, It is essential to the comfort, safety and well-
16 being of passengers by public conveyance that orderly conduct be
17 maintained; and

18 WHEREAS, The promotion of public passenger transportation is
19 beneficial to the economy of the State and conservation of
20 energy; and

21 WHEREAS, An increasing number of citizens avail themselves of
22 this economical and safe mode of transportation; therefore be it

1 The General Assembly of the Commonwealth of Pennsylvania
2 hereby enacts as follows:

3 Section 1. This act shall be known and may be cited as the
4 "Public Conveyance Passenger Safety Act."

5 Section 2. The following words and phrases when used in this
6 act shall have, unless the context clearly indicates otherwise,
7 the meanings given to them in this section:

8 "Charter." A group of persons, pursuant to a common purpose
9 and under a single contract, and at a fixed charge for the
10 conveyance in accordance with a transportation company's tariff,
11 who have acquired the exclusive use of a conveyance to travel
12 together as a group to a specified destination.

13 "Passenger." Any person served by the transportation company
14 and in addition to the ordinary meaning of passenger, the term
15 shall include persons accompanying or meeting another who is
16 transported by this company, and any person purchasing a ticket
17 or receiving a pass.

18 "Public conveyance." Any passenger bus or coach or other
19 motor vehicle having a seating capacity of not less than 15
20 passengers operated by a transportation company for the purpose
21 of carrying passengers for hire or any vehicle operating on
22 rails for that purpose.

23 "Terminal." A station or depot or any facility operated by
24 or leased by or operated on behalf of a transportation company.
25 This term shall include a reasonable area immediately adjacent
26 to any designated stop along the route traveled by any
27 conveyance operated by a transportation company and parking lots
28 or parking areas adjacent to a terminal.

29 "Transportation company," "company" or "public transportation
30 company." Any person, groups of persons or corporation,

1 including transportation facilities owned or operated by local
2 public bodies, by municipalities and public corporations,
3 boards, commissions and authorities established under the laws
4 of the Commonwealth providing for-hire interstate or intrastate
5 transportation to passengers by public conveyance in the
6 Commonwealth of Pennsylvania.

7 Section 3. (a) A person is guilty of a felony of the second
8 degree if he by force or violence or threat of force or violence
9 seizes or exercises control over any public conveyance.

10 (b) A person is guilty of a felony of the third degree if he
11 by intimidation, threat, assault or battery interferes with the
12 performance of the duties of any operator, attendant or guard of
13 a public conveyance.

14 (c) A person is guilty of a felony of the third degree if he
15 boards a public conveyance with a deadly weapon which he is not
16 legally authorized to carry. A deadly weapon shall be for the
17 purpose of this subsection any firearm, whether loaded or
18 unloaded, or any device designed as a weapon and capable of
19 producing death or serious bodily injury, or any other device or
20 instrumentality which, in the manner in which it is used or
21 intended to be used, is calculated or likely to produce death or
22 serious bodily injury.

23 (d) A person is guilty of a felony of the third degree if he
24 bombs or places or plants any bomb or other explosive device or
25 matter in, upon or near any public conveyance or terminal.

26 (e) A person is guilty of a felony of the third degree if he
27 threatens to bomb or place or plant any bomb or other explosive
28 device or matter in, upon or near any public conveyance or
29 terminal.

30 (f) A person is guilty of a misdemeanor of the first degree

1 if he discharges any firearm or hurls any missile at, or into,
2 any public conveyance, terminal or transportation facility.

3 (g) A person is guilty of a summary offense if he threatens
4 a breach of the peace or uses any obscene, profane or vulgar
5 language on a public conveyance.

6 (h) A person is guilty of a summary offense if he causes a
7 disturbance while on a public conveyance while under the
8 influence of alcohol or unlawfully under the influence of a
9 controlled substance is a passenger in or upon any public
10 conveyance unless it be chartered.

11 (i) A person is guilty of a summary offense if he while on a
12 public conveyance ingests any controlled substance unless
13 properly prescribed by a physician or medical facility, or
14 drinks intoxicating liquor of any kind in or upon any public
15 conveyance unless it be chartered or unless the transportation
16 company provides bar service on the conveyance.

17 (j) A person is guilty of a summary offense if he smokes
18 tobacco or other product in a public conveyance after having
19 been asked by the operator or other person in attendance thereon
20 to refrain.

21 Section 4. Any person violating section 3(g) through (j) may
22 be removed from the public conveyance by the operator or other
23 attendant thereon using only such force as may be necessary at
24 any reasonably safe location and may cause such person to be
25 detained and delivered to the proper authorities.

26 Section 5. In order to provide the safety, comfort and well-
27 being of passengers and others having a bona fide business
28 interest in any terminal, a public transportation company may
29 refuse admission to terminals to any person not having bona fide
30 business within the terminal. Any such refusal shall not be

1 inconsistent or contrary to State or Federal laws, regulations
2 pursuant thereto, or to any ordinance of the political
3 subdivision in which such terminal is located. A duly authorized
4 company representative may ask any person in a terminal or on
5 the premises of a terminal to identify himself and state his
6 business. Failure to comply with such request or failure to
7 state an acceptable business purpose shall be grounds for such
8 company representative to request that such person depart the
9 terminal. Refusal to comply with such request shall constitute a
10 misdemeanor.

11 Section 6. A person is guilty of a misdemeanor of the first
12 degree if he carries or attempts to carry any deadly weapon as
13 defined in section 3(c) or explosive device into a terminal or
14 onto a public conveyance. A transportation company may employ
15 reasonable means including mechanical, electronic or x-ray
16 devices to detect deadly weapons or explosive devices in the
17 baggage or upon the person of the passenger. Upon discovery of
18 any such item, the company may obtain possession and retain
19 possession of such item until transfer to the custody of law
20 enforcement officers.

21 Section 7. This act shall take effect in 60 days.