

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

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STABACK, BEBKO-JONES AND WALKO, APRIL 20, 1995

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, APRIL 20, 1995

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

12 Section 1. Short title.

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

15 Section 2. Legislative findings and purpose.

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

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

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

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

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

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

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

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

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

26 (3) Establish educational programs to alert children in
27 this Commonwealth, as well as members of the general public,
28 to this new municipal police identification card system and
29 of their right to request to see proper photo identification
30 prior to accompanying anyone identifying himself or herself

as a municipal police officer or providing him or her access to their residence, vehicle or place of business.

Section 3. Definitions.

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

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

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

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

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

"Municipal police officer." Any full-time or part-time

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

8 "Official State seal." A State seal identical to that
9 embossed on photo drivers' licenses currently issued by the
10 Department of Transportation.

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

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

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

27 "Termination of employment." The discontinuance of
28 employment as a municipal police officer due to death, health
29 problems, mandatory or voluntary retirement, forced removal or
30 voluntary self-removal.

1 Section 4. Uniform municipal police photo identification card
2 system.

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

8 (b) Administration.--The program shall be developed and
9 administered by the commission consistent with the requirements
10 of section 7.

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

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

23 (e) Biennial renewal.--Municipal police officers shall
24 obtain a new photo identification card biennially in accordance
25 with the requirements of section 10.

26 Section 5. Centralized official municipal police registry.

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

30 (b) Administration.--The registry shall be developed and

1 maintained by the commission under section 8.

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

7 Section 6. Information from registry.

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

16 Section 7. Administration of photo identification card system.

17 (a) Notification.--

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

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

1 (b) Establishment of format.--

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

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

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

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

29 (d) Division of order form.--Upon surrender of the photo
30 identification card order form at the PennDOT photo license

center by the municipal police officer, and the taking of the photograph, the order form is to be divided as follows:

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

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

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

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

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

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

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

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

(4) Signature space for the municipal police officer.

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

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

(f) Information on photo card.--The information under subsection (e) shall also appear on the uniform photo identification card developed by the commission. In addition,

1 the following information shall be present:

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

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

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

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

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

14 (h) Termination forms.--

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

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

28 (3) The commission, upon receipt of the termination form
29 and accompanying photo identification card from a municipal
30 police department, shall destroy the issued card and correct

1 its records and police registry accordingly.

2 (4) Municipal police officers who terminate employment
3 with one municipal police department and who are subsequently
4 hired by another municipal police department in this
5 Commonwealth shall surrender their current photo
6 identification cards at the time their employment with the
7 first police department is terminated. Upon their employment
8 by another municipal police department, they shall follow the
9 procedures provided under section 10(b) to obtain a new photo
10 identification card.

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

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

19 Section 8. Centralized official municipal police registry.

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

26 (b) Comprehensive record capability.--This centralized data
27 base is to provide a comprehensive record of all municipal
28 police officers employed in this Commonwealth and shall include,
29 but not be limited to, information delineated on the photo
30 identification card order form described in section 7(e).

(c) Information input.--

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

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

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

Section 9. Issuance of police photo identification card.

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

(b) Signature and transmission of copies.--Upon the issuance

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

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

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

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

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

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

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

22 (d) Penalties.--

23 (1) Any municipal police officer who fails to obtain a
24 uniform photo identification card in accordance with the
25 requirements and time limitations established by this act, or
26 who upon termination of employment fails to immediately
27 surrender the photo identification card to the municipal
28 police department where the officer was last employed commits
29 a summary offense and shall be personally liable for the cost
30 of any subsequent photo identification cards which may be

1 issued to that municipal police officer.

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

11 (3) Any person who forges or alters a uniform police
12 identification card, or who is in possession of a forged or
13 altered card, commits a felony of the second degree.

14 (e) Withholding of moneys for noncompliance.--In addition to
15 any other penalties, the Governor shall have the discretion to
16 withhold any and all moneys due the municipality served by a
17 municipal police department that fails to meet the requirements
18 of this act, until the provisions of this act are fully complied
19 with to the satisfaction of the commission.

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

29 Section 11. Establishment of educational programs to promote
30 public awareness.

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

4 (1) The new uniform municipal police photo
5 identification card system.

6 (2) The official municipal police registry.

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

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

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

29 (d) Statewide disbursement.--In order to promote awareness
30 on the part of the general public of the objectives of this

1 section, the commission shall solicit the Statewide involvement
2 of appropriate community service groups and organizations, as
3 well as Statewide representatives of the media, in the
4 development of public service announcements for radio,
5 television and the print media, as well as advertising campaigns
6 and other public relations programs. The commission may
7 reimburse participants for any direct expenses incurred which
8 the commission deems appropriate.

9 Section 12. Reports.

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

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

15 (2) Describe any problems associated with implementing
16 the provisions of this act and make recommendations for
17 resolving any problems.

18 (3) Estimate annual appropriations which will be needed
19 by the commission in the future to properly maintain and
20 update the municipal police photo identification card system
21 and registry established by this act.

22 Section 13. Appropriation.

23 The sum of \$2,000,000, or as much thereof as may be
24 necessary, is hereby appropriated from the General Fund to the
25 Municipal Police Officers' Education and Training Commission for
26 the fiscal year July 1, 1995, to June 30, 1996, to pay for all
27 costs associated with meeting the requirements of this act.

28 Section 14. Effective date.

29 This act shall take effect immediately.