
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 805 Session of
2007

INTRODUCED BY DERMODY, RAYMOND, MELIO, SHIMKUS, PALLONE,
READSHAW, KORTZ, DALEY, WALKO, MAHONEY, HORNAMAN, LEACH,
PHILLIPS, PETRONE, GEIST AND K. SMITH, MARCH 19, 2007

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 19, 2007

AN ACT

1 Amending Titles 53 (Municipalities Generally), 66 (Public
2 Utilities) and 75 (Vehicles) of the Pennsylvania Consolidated
3 Statutes, providing for use of restraint systems in taxicabs.

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

6 Section 1. Title 53 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 5724.1. Certain services prohibited.

9 No taxicab may transport passengers under eight years of age
10 in violation of the safety provisions of 75 Pa.C.S. § 4581(a)
11 (relating to restraint systems).

12 Section 2. Title 66 is amended by adding a section to read:
13 § 1512. Certain services prohibited.

14 No taxicab may transport passengers under eight years of age
15 in violation of the safety provisions of 75 Pa.C.S. § 4581(a)
16 (relating to restraint systems).

17 Section 3. Section 4581(a)(1) and (1.1) of Title 75 are
18 amended and the section is amended by adding a subsection to

1 read:

2 § 4581. Restraint systems.

3 (a) Occupant protection.--

4 (1) Any person who is operating a passenger car, Class I
5 truck, Class II truck, classic motor vehicle, antique motor
6 vehicle or motor home and who transports a child under four
7 years of age anywhere in the motor vehicle, including the
8 cargo area, shall fasten such child securely in a child
9 passenger restraint system, as defined in subsection (d).

10 This subsection shall apply to all persons while they are
11 operators of motor vehicles where a seating position is
12 available which is equipped with a seat safety belt or other
13 means to secure the systems or where the seating position was
14 originally equipped with seat safety belts. In the case of a
15 taxicab granted a certificate of public convenience by the
16 Pennsylvania Public Utility Commission or a parking authority
17 of a city of the first class to transport passengers, the
18 parent or legal guardian of a child under four years of age
19 to be transported shall be solely responsible for ensuring
20 that the provisions of this section are complied with.

21 Notwithstanding any provision of law, a taxicab granted a
22 certificate of public convenience by the Pennsylvania Public
23 Utility Commission or a parking authority of a city of the
24 first class to transport passengers shall not transport a
25 child under four years of age unless this section is complied
26 with.

27 (1.1) Any person who is operating a passenger car, Class
28 I truck, Class II truck, classic motor vehicle, antique motor
29 vehicle or motor home and who transports a child four years
30 of age or older but under eight years of age anywhere in the

1 motor vehicle, including the cargo area, shall fasten such
2 child securely in a fastened safety seat belt system and in
3 an appropriately fitting child booster seat, as defined in
4 subsection (d). This paragraph shall apply to all persons
5 while they are operators of motor vehicles where a seating
6 position is available which is equipped with a seat safety
7 belt or other means to secure the systems or where the
8 seating position was originally equipped with seat safety
9 belts. A conviction under this paragraph by State or local
10 law enforcement agencies shall occur only as a secondary
11 action when a driver of a motor vehicle has been convicted of
12 violating any other provision of this title. In the case of a
13 taxicab granted a certificate of public convenience by the
14 Pennsylvania Public Utility Commission or a parking authority
15 of a city of the first class to transport passengers, the
16 parent or legal guardian of a child four years of age or
17 older but under eight years of age to be transported shall be
18 solely responsible for ensuring that the provisions of this
19 section are complied with. Notwithstanding any provision of
20 law, a taxicab granted a certificate of public convenience by
21 the Pennsylvania Public Utility Commission or a parking
22 authority of a city of the first class to transport
23 passengers shall not transport a child four years of age or
24 older but under eight years of age unless this section is
25 complied with.

26 * * *

27 (i) Definition.--As used in this section, the term "taxicab"
28 means a motor vehicle designed for carrying no more than eight
29 passengers, exclusive of the driver, on a call or demand basis
30 and used for the transportation of persons for compensation.

1 Section 4. This act shall take effect in 60 days.