

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 519 Session of 2009

INTRODUCED BY HICKERNELL, GEIST, BEAR, CREIGHTON, CUTLER,
DENLINGER, FLECK, GINGRICH, GROVE, HESS, KORTZ, MANN,
MARSHALL, MELIO, MILLER, MOUL, MURT, M. O'BRIEN, PAYNE,
PEIFER, PHILLIPS, PYLE, QUINN, RAPP, READSHAW, REICHLEY,
SCAVELLO, SIPTROTH, K. SMITH, STERN, SWANGER, TRUE, WATSON
AND YOUNGBLOOD, FEBRUARY 19, 2009

REFERRED TO COMMITTEE ON TRANSPORTATION, FEBRUARY 19, 2009

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for additional parking
3 regulations.

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

6 Section 1. Section 3354(d)(3), (e) and (f) of Title 75 of
7 the Pennsylvania Consolidated Statutes are amended to read:

8 § 3354. Additional parking regulations.

9 * * *

10 (d) Person with a disability and disabled veterans.--

11 * * *

12 (3) (i) Except for persons parking vehicles
13 lawfully bearing a person with a disability or severely
14 disabled veteran registration plate or displaying a
15 person with a disability or severely disabled veteran
16 parking placard when such vehicles are being operated by

1 or for the transportation of a person with a disability
2 or a severely disabled veteran, no person shall park a
3 vehicle on public or private property reserved for a
4 person with a disability or severely disabled veteran
5 which property has been so posted in accordance with
6 departmental regulations. Regulations shall require that
7 parking spaces designated with an international symbol
8 for access for persons with disabilities on a sign are
9 posted with a sign stating the penalty amount indicated
10 in subsection (f) and that vehicles in violation of the
11 subsection may be towed and require that signs be
12 replaced when they become either obsolete or missing with
13 all costs to replace the necessary signs to be borne by
14 the persons responsible for signing the particular
15 location. The absence of a sign stating the penalty
16 amount at parking spaces designated with an international
17 symbol for access for persons with disabilities shall not
18 preclude the enforcement of this subsection. A vehicle
19 which is unlawfully parked in a designated person with a
20 disability parking area may be removed from that area by
21 towing and may be reclaimed by the vehicle owner upon
22 payment of the towing costs. A vehicle may only be towed
23 under this paragraph if the parking space is posted with
24 a sign indicating that vehicles in violation of this
25 section may be towed.

26 (ii) Local authorities shall have the power and may,
27 by ordinance or resolution, authorize a person with a
28 disability and severely disabled veterans to issue
29 statements to violators or violating vehicles for
30 violation of subparagraph (i). The form of the statement

1 shall be as prescribed by the local authorities.

2 (iii) No occupancy or driveway permit may be issued
3 to a person whose property is reserved for a person with
4 a disability or a severely disabled veteran if the
5 property is not posted with a sign stating the penalty
6 amount indicated in subsection (f).

7 (iv) No person shall park in a manner that makes
8 inaccessible or blocks the access aisle located next to a
9 parking space reserved for persons with physical
10 disabilities which is mandated under the Americans with
11 Disabilities Act of 1990 (Public Law 101-336, 104 Stat.
12 327).

13 (e) Unauthorized use.--

14 (1) An operator of a vehicle bearing a person with a
15 disability or severely disabled veteran plate or displaying a
16 person with a disability or severely disabled veteran parking
17 placard shall not make use of the parking privileges accorded
18 to a person with a disability and severely disabled veterans
19 under subsection (d) (3) unless the operator is a person with
20 a disability or a severely disabled veteran or unless the
21 vehicle is being operated for the transportation of a person
22 with a disability or severely disabled veteran.

23 (2) A law enforcement officer may request from an
24 operator of a vehicle bearing a person with a disability or
25 severely disabled veteran parking placard the disability
26 identification card that is issued by the department at the
27 time the placard is issued whenever an officer suspects a
28 violation of this section. Failure to comply with this
29 request for identification may result in the officer issuing
30 a citation for violation of this section.

* * *

(f) Penalty.--

(1) A person violating subsection (a), (b) or (d) (1) is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than \$15.

(2) A person violating subsection (d) (2) or (3) or (e) is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$50 nor more than \$200. If a person is convicted under subsection (d) (2) or (3) in the absence of a sign stating the penalty amount, the fine imposed may not exceed \$50.

(3) A person violating subsection (e) (2) is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$50.

* * *

Section 2. This act shall take effect in 60 days.