

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 635 Session of  
2017

INTRODUCED BY SIMMONS, MURT, HELM, J. HARRIS, DEASY, KINSEY,  
B. MILLER AND SOLOMON, FEBRUARY 27, 2017

REFERRED TO COMMITTEE ON TRANSPORTATION, FEBRUARY 27, 2017

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, in registration of vehicles, providing for  
3 expectant mother or parent of young child placard; in rules  
4 of the road in general, further proving for additional  
5 parking regulations; and making editorial changes.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. The headings of Chapter 13 and Subchapter B of  
9 Chapter 13 of Title 75 of the Pennsylvania Consolidated Statutes  
10 are amended to read:

11 CHAPTER 13

12 REGISTRATION OF VEHICLES

13 AND ISSUANCE OF PARKING PLACARDS

14 SUBCHAPTER B

15 REGISTRATION PLATES

16 AND PARKING PLACARDS

17 Section 2. Title 75 is amended by adding a section to read:

18 § 1338.1. Expectant mother or parent of young child placard.

19 (a) Application.--On the application of an individual who is

1 pregnant or is the parent of a child under 36 months of age, the  
2 department shall issue one special parking placard, of such size  
3 and design as the department shall specify, that designates the  
4 vehicle in which it is displayed as being used for the  
5 transportation of expectant mothers or parents with children  
6 under 36 months of age.

7 (b) Duration of placard.--The following shall apply:

8 (1) A placard issued under subsection (a) for an  
9 individual who is pregnant shall expire on the date which is  
10 six months after the individual's due date, as estimated by  
11 the health care provider under subsection (d).

12 (2) A placard issued under subsection (a) for an  
13 individual who is a parent of a child under 36 months of age  
14 shall expire on the date which is 36 months after the birth  
15 of the individual's child.

16 (c) Display of placard.--The following shall apply:

17 (1) When a vehicle of an individual who has obtained a  
18 placard under this section is utilizing a parking space  
19 reserved for expectant mothers and parents with children  
20 under 36 months of age, the placard shall be prominently  
21 displayed as provided under paragraph (2).

22 (2) A placard shall be hung from the front windshield  
23 rearview mirror of a vehicle. If the vehicle does not have a  
24 rearview mirror, or if the placard is not designed in such a  
25 manner to accommodate hanging from a rearview mirror, the  
26 placard shall be displayed on the dashboard of the vehicle. A  
27 placard shall only be hung or displayed when the vehicle is  
28 utilizing a parking space reserved for expectant mothers or  
29 parents with children under 36 months of age.

30 (d) Health care provider's statement.--An individual

1 applying for a placard under this section must present a  
2 statement, certified by a physician, physician assistant or  
3 certified registered nurse practitioner licensed or certified to  
4 practice in this Commonwealth or in a contiguous state, that the  
5 individual is an expectant mother or parent with a child under  
6 36 months of age.

7 (e) Return of placard.--The following shall apply:

8 (1) If an individual to whom a placard has been issued  
9 under this section no longer qualifies for a placard under  
10 this section, the placard shall be void 30 days after the  
11 individual no longer qualifies for the placard. The placard  
12 shall not be displayed in any vehicle.

13 (2) The individual or, if the individual is deceased,  
14 the individual's personal representative shall return the  
15 placard to the department. If the individual is deceased and  
16 there is no personal representative, the spouse or, if there  
17 is no spouse, the next of kin of the deceased shall return  
18 the placard to the department.

19 (f) Penalty.--An individual violating this section commits a  
20 summary offense and shall, upon conviction, be sentenced to pay  
21 a fine of not more than \$100.

22 (g) Definitions.--As used in this section, the following  
23 words and phrases shall have the meanings given to them in this  
24 subsection unless the context clearly indicates otherwise:

25 "Parent." As defined in 23 Pa.C.S. § 6303 (relating to  
26 definitions).

27 Section 3. Section 3354(d), (e), (f) and (g) of Title 75 are  
28 amended to read:

29 § 3354. Additional parking regulations.

30 \* \* \*

(d) Person with a disability [and], disabled veterans and  
expectant mothers and parents of young children.--

(1) When a motor vehicle bearing a person with a disability or severely disabled veteran plate or displaying a person with a disability or severely disabled veteran parking placard as prescribed in this title is being operated by or for the transportation of the person with a disability or severely disabled veteran, the driver shall be relieved of any liability for parking for a period of 60 minutes in excess of the legal parking period permitted by local authorities except where local ordinances or police regulations provide for the accommodation of heavy traffic during morning, afternoon or evening hours.

(2) At the request of a person with a disability or severely disabled veteran, local authorities may erect on the highway as close as possible to the person's or veteran's place of residence a sign or signs indicating that that place is reserved for a person with a disability or severely disabled veteran, that no parking is allowed there by others, and that any unauthorized person parking there shall be subject to a fine and may be towed. The absence of a sign stating the penalty amount indicated in subsection (f) at parking spaces designated with an international symbol for access for persons with disabilities on a sign shall not preclude the enforcement of this subsection. A vehicle may only be towed under this paragraph if the parking space is posted with a sign indicating that vehicles in violation of this section may be towed.

(3) (i) Except for persons parking vehicles lawfully bearing a person with a disability or severely disabled

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

29           (ii) Local authorities shall have the power and may,  
30      by ordinance or resolution, authorize a person with a

1        disability and severely disabled veterans to issue  
2        statements to violators or violating vehicles for  
3        violation of subparagraph (i). The form of the statement  
4        shall be as prescribed by the local authorities.

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

10        (4) Except for persons parking vehicles lawfully bearing  
11        an expectant mother or parent of young child placard when  
12        such vehicles are being operated by or for the transportation  
13        of an expectant mother or a parent with a child under 36  
14        months of age, no person may park a vehicle on public or  
15        private property reserved for expectant mothers and parents  
16        with children under the age of 36 months which property has  
17        been so posted in accordance with departmental regulations.  
18        Regulations shall require that parking spaces designated with  
19        a symbol for expectant mothers and parents of young children  
20        on a sign are posted with a sign stating the penalty amount  
21        indicated in subsection (f). Regulations shall require that  
22        vehicles in violation of this subsection may be towed and  
23        require that signs be replaced when they become either  
24        obsolete or missing with all costs to replace the necessary  
25        signs to be borne by the persons responsible for signing the  
26        particular location. The absence of a sign stating the  
27        penalty amount at parking spaces designated with a symbol for  
28        expectant mothers and parents of young children shall not  
29        preclude the enforcement of this subsection. A vehicle that  
30        is unlawfully parked in a designated expectant mothers and

1 parents of young children area may be removed from that area  
2 by towing and may be reclaimed by the vehicle owner upon  
3 payment of the towing costs. A vehicle may only be towed  
4 under this paragraph if the parking space is posted with a  
5 sign indicating that vehicles in violation of this section  
6 may be towed.

7 (e) Unauthorized use.--An operator of a vehicle bearing a  
8 person with a disability or severely disabled veteran plate or  
9 displaying a person with a disability or severely disabled  
10 veteran parking placard or an expectant mother or parent of  
11 young child placard shall not make use of the parking privileges  
12 accorded to a person with a disability and severely disabled  
13 veterans under subsection (d) (3) or expectant mothers and  
14 parents of young children under subsection (d) (4) unless the  
15 operator is a person with a disability [or], a severely disabled  
16 veteran or an expectant mother or parent of a young child or  
17 unless the vehicle is being operated for the transportation of a  
18 person with a disability [or], severely disabled veteran or  
19 expectant mother or parent of a young child.

20 \* \* \*

21 (f) Penalty.--A person violating subsection (a), (b) or (d)  
22 (1) is guilty of a summary offense and shall, upon conviction,  
23 be sentenced to pay a fine of not more than \$15. A person  
24 violating subsection (d) (2) [or], (3) or (4) or (e) is guilty of  
25 a summary offense and shall, upon conviction, be sentenced to  
26 pay a fine of not less than \$50 nor more than \$200. If a person  
27 is convicted under subsection (d) (2) [or], (3) or (4) in the  
28 absence of a sign stating the penalty amount, the fine imposed  
29 may not exceed \$50.

30 (g) Special penalty; disposition.--

1           (1) In addition to any other penalty imposed under this  
2 section, a person who is convicted of violating subsection  
3 (d)(2) or (3) shall be sentenced to pay a fine of \$50.

4           (2) All fines collected under this subsection shall be  
5 disposed of as follows:

6                 (i) Ninety-five percent shall be paid to the  
7 Department of Revenue, transmitted to the Treasury  
8 Department and credited to the Department of [Public  
9 Welfare] Human Services for use for the Attendant Care  
10 Program.

11               (ii) Five percent shall be paid to the municipality  
12 in which the offense occurred.

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