
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 360 Session of
2017

INTRODUCED BY WILLIAMS, TARTAGLIONE, HAYWOOD, BREWSTER, HUGHES,
RAFFERTY, BROWNE, COSTA AND BOSCOLA, FEBRUARY 15, 2017

REFERRED TO TRANSPORTATION, FEBRUARY 15, 2017

AN ACT

1 Providing for the Jayanna Powell Hit-and-Run Direct Notification
2 System and for definitions; requiring registration of motor
3 vehicle repair facilities; and providing for penalties.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Jayanna
8 Powell Hit-and-Run Direct Notification Act.

9 Section 2. Legislative findings.

10 The General Assembly finds and declares as follows:

11 (1) Hit-and-run accidents, in which the driver flees the
12 scene of an accident, result in the death of 1,500 Americans
13 each year according to the American Automobile Association.
14 Approximately 60% of the victims of these accidents are
15 pedestrians.

16 (2) Fleeing the scene of an accident is prohibited by 75
17 Pa.C.S. §§ 3742 (relating to accidents involving death or
18 personal injury) and 3744 (relating to duty to give

1 information and render aid) due to the duty of motorists
2 involved in an accident to render aid and provide
3 information. It is in the best interest of the public for
4 motorists involved in accidents that result in serious bodily
5 injury or death to stay at the scene of an accident and to
6 submit to authorities for questioning.

7 (3) On November 18, 2016, a driver traveling at a high
8 rate of speed struck eight-year-old Jayanna Powell of West
9 Philadelphia as she walked home from school, resulting in her
10 death. The driver fled the scene of the accident, leaving
11 Jayanna's family aggrieved and without hope for justice.

12 (4) The driver who struck Jayanna, aided by an
13 accomplice, took the vehicle to a repair facility two
14 counties away from Philadelphia so as to evade detection. In
15 order to more quickly identify and apprehend motorists who
16 have fled the scene of an accident, the General Assembly
17 deems it necessary to implement a system of direct
18 notification to motor vehicle repair facilities of all
19 vehicles involved in hit-and-run accidents.

20 Section 3. Definitions.

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

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

26 "Hit-and-run accident." A motor vehicle accident as provided
27 in 75 Pa.C.S. § 3742 (relating to accidents involving death or
28 personal injury) in which one or more motorists involved in the
29 accident fail to remain at the scene until law enforcement
30 authorities arrive or otherwise comply with the motorist duties

1 under 75 Pa.C.S. § 3744 (relating to duty to give information
2 and render aid).

3 "Motor vehicle repair facility." A commercial garage, shop
4 or other business operating within this Commonwealth that
5 repairs damage to motor vehicles.

6 "System." The Jayanna Powell Hit-and-Run Direct Notification
7 System established in section 4 of this act.

8 Section 4. The Jayanna Powell Hit-and-Run Direct Notification
9 System.

10 (a) Establishment.--The department shall develop and
11 maintain a system that compiles information regarding vehicles
12 that have fled the scene of a motor vehicle accident to notify
13 motor vehicle repair facilities.

14 (b) Notification requirements.--After a hit-and-run accident
15 resulting in serious bodily injury or death, the investigating
16 law enforcement authority shall directly notify all motor
17 vehicle repair facilities in this Commonwealth via the system.

18 (c) Information.--The information provided on the system
19 regarding the vehicle shall include, but not be limited to, as
20 available, the following about the motor vehicle operated by the
21 motorist who failed to remain at the scene:

22 (1) Vehicle make, model, year and color.

23 (2) License plate number.

24 (3) Unique identifying characteristics.

25 (4) Extent of damage.

26 Section 5. Registration required.

27 A motor vehicle repair facility shall register with the
28 department, in a manner prescribed by the department, to ensure
29 accurate contact information for providing information through
30 the system.

1 Section 6. Duty to report.

2 Upon discovery of a vehicle in the motor vehicle repair
3 facility's possession reasonably matching that of a vehicle
4 described in a direct notification on the system, the owner or
5 operator of the motor vehicle repair facility shall inform the
6 law enforcement agency that initiated the direct notification.

7 Section 7. Penalties.

8 The owner or operator of a motor vehicle repair facility who
9 is required under this act to report a vehicle at the motor
10 vehicle repair facility and fails to do so commits a misdemeanor
11 of the third degree.

12 Section 8. Effective date.

13 This act shall take effect in 30 days.