AN ACT

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

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

Section 1. Short title.

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

Section 2. Legislative findings.

4 The General Assembly finds and declares as follows:

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

6 (2) Fleeing the scene of an accident is prohibited under 75 Pa.C.S. §§ 3742 (relating to accidents involving death or personal injury) and 3744 (relating to duty to give
information and render aid) due to the duty of motorists involved in an accident to render aid and provide information. It is in the best interest of the public for motorists involved in accidents that result in serious bodily injury or death to stay at the scene of an accident and to submit to authorities for questioning.

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

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

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:

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

"Hit-and-run accident." A motor vehicle accident as provided in 75 Pa.C.S. § 3742 (relating to accidents involving death or personal injury) in which one or more motorists involved in the accident fail to remain at the scene until law enforcement authorities arrive or otherwise comply with the motorist duties.
under 75 Pa.C.S. § 3744 (relating to duty to give information and render aid).

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


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

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

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

(c) Information.--The information provided on the system regarding the vehicle shall include, as available, the following about the motor vehicle operated by the motorist who failed to remain at the scene:

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

(2) License plate number.

(3) Unique identifying characteristics.

(4) Extent of damage.

Section 5. Registration required.

A motor vehicle repair facility shall register with the department, in a manner prescribed by the department, to ensure accurate contact information for providing information through the system.
Section 6. Duty to report.

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

Section 7. Penalties.

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

Section 8. Effective date.

This act shall take effect in 30 days.