
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1731 Session of
2023

INTRODUCED BY CABELL, ROWE, HAMM, BERNSTINE AND MOUL,
OCTOBER 2, 2023

REFERRED TO COMMITTEE ON CONSUMER PROTECTION, TECHNOLOGY AND
UTILITIES, OCTOBER 2, 2023

AN ACT

1 Amending Titles 53 (Municipalities Generally), 66 (Public
2 Utilities), 74 (Transportation) and 75 (Vehicles) of the
3 Pennsylvania Consolidated Statutes, in taxicabs and
4 limousines in first class cities, providing for medical
5 discrimination prohibited; in transportation network
6 companies, further providing for transportation network
7 service accessibility; in service and facilities, further
8 providing for discrimination in service; in transportation
9 network service, further providing for service standards; in
10 sustainable mobility options, further providing for
11 definitions and providing for medical discrimination
12 prohibited; and, in miscellaneous provisions relating to
13 operation of vehicles, providing for student medical
14 discrimination prohibited.

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

17 Section 1. Title 53 of the Pennsylvania Consolidated
18 Statutes is amended by adding sections to read:

19 § 5723.1. Medical discrimination prohibited.

20 (a) General rule.--A person operating a taxicab service may
21 not require a passenger to do any of the following in order to
22 receive taxicab service:

23 (1) Provide documentation regarding the passenger's

1 COVID-19 vaccination status.

2 (2) Answer questions regarding the passenger's COVID-19
3 vaccination status.

4 (3) Wear or remove a face mask.

5 (b) Definitions.--As used in this section, the following
6 words and phrases shall have the meanings given to them in this
7 subsection unless the context clearly indicates otherwise:

8 "COVID-19." The novel coronavirus identified in the
9 proclamation of disaster emergency issued by the Governor on
10 March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020).

11 "COVID-19 vaccination." A vaccination for COVID-19 that has
12 received an emergency use authorization or approval from the
13 United States Food and Drug Administration.

14 § 5743.1. Medical discrimination prohibited.

15 (a) General rule.--A person operating a limousine service
16 may not require a passenger to do any of the following in order
17 to receive limousine service:

18 (1) Provide documentation regarding the passenger's
19 COVID-19 vaccination status.

20 (2) Answer questions regarding the passenger's COVID-19
21 vaccination status.

22 (3) Wear or remove a face mask.

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

26 "COVID-19." The novel coronavirus identified in the
27 proclamation of disaster emergency issued by the Governor on
28 March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020).

29 "COVID-19 vaccination." A vaccination for COVID-19 that has
30 received an emergency use authorization or approval from the

1 United States Food and Drug Administration.

2 Section 2. Section 57A11 of Title 53 is amended by adding
3 subsections to read:

4 § 57A11. Transportation network service accessibility.

5 * * *

6 (d) Medical discrimination prohibited.--A transportation
7 network company or driver may not require a passenger to do any
8 of the following in order to receive transportation network
9 service from the transportation network company or driver:

10 (1) Provide documentation regarding the passenger's
11 COVID-19 vaccination status.

12 (2) Answer questions regarding the passenger's COVID-19
13 vaccination status.

14 (3) Wear or remove a face mask.

15 (e) Definitions.--As used in this section, the following
16 words and phrases shall have the meanings given to them in this
17 subsection unless the context clearly indicates otherwise:

18 "COVID-19." The novel coronavirus identified in the
19 proclamation of disaster emergency issued by the Governor on
20 March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020).

21 "COVID-19 vaccination." A vaccination for COVID-19 that has
22 received an emergency use authorization or approval from the
23 United States Food and Drug Administration.

24 Section 3. Section 1502 of Title 66 is amended to read:

25 § 1502. Discrimination in service.

26 (a) General rule.--No public utility shall, as to service,
27 make or grant any unreasonable preference or advantage to any
28 person, corporation, or municipal corporation, or subject any
29 person, corporation, or municipal corporation to any
30 unreasonable prejudice or disadvantage. No public utility shall

1 establish or maintain any unreasonable difference as to service,
2 either as between localities or as between classes of service,
3 but this section does not prohibit the establishment of
4 reasonable classifications of service.

5 (b) Medical discrimination prohibited.--No motor carrier
6 engaged in the transportation of passengers or a dual motor
7 carrier may require a passenger to do any of the following in
8 order to receive passenger transportation service from the motor
9 carrier or dual motor carrier:

10 (1) Provide documentation regarding the passenger's
11 COVID-19 vaccination status.

12 (2) Answer questions regarding the passenger's COVID-19
13 vaccination status.

14 (3) Wear or remove a face mask.

15 (c) Definitions.--As used in this section, the following
16 words and phrases shall have the meanings given to them in this
17 subsection unless the context clearly indicates otherwise:

18 "COVID-19." The novel coronavirus identified in the
19 proclamation of disaster emergency issued by the Governor on
20 March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020).

21 "COVID-19 vaccination." A vaccination for COVID-19 that has
22 received an emergency use authorization or approval from the
23 United States Food and Drug Administration.

24 Section 4. Section 2604.3 of Title 66 is amended by adding
25 subsections to read:

26 § 2604.3. Service standards.

27 * * *

28 (c) Medical discrimination prohibited.--A transportation
29 network company or driver may not require a passenger to do any
30 of the following in order to receive transportation network

1 service from the transportation network company or driver:

2 (1) Provide documentation regarding the passenger's
3 COVID-19 vaccination status.

4 (2) Answer questions regarding the passenger's COVID-19
5 vaccination status.

6 (3) Wear or remove a face mask.

7 (d) Definitions.--As used in this section, the following
8 words and phrases shall have the meanings given to them in this
9 subsection unless the context clearly indicates otherwise:

10 "COVID-19." The novel coronavirus identified in the
11 proclamation of disaster emergency issued by the Governor on
12 March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020).

13 "COVID-19 vaccination." A vaccination for COVID-19 that has
14 received an emergency use authorization or approval from the
15 United States Food and Drug Administration.

16 Section 5. Section 1503 of Title 74 is amended by adding
17 definitions to read:

18 § 1503. Definitions.

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

22 * * *

23 "COVID-19." The novel coronavirus identified in the
24 proclamation of disaster emergency issued by the Governor on
25 March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020).

26 "COVID-19 vaccination." A vaccination for COVID-19 that has
27 received an emergency use authorization or approval from the
28 United States Food and Drug Administration.

29 * * *

30 Section 6. Title 74 is amended by adding a section to read:

1 § 1521. Medical discrimination prohibited.

2 (a) General rule.--A person providing community
3 transportation service or shared ride service or a local
4 transportation organization may not require a passenger to do
5 any of the following in order to receive transportation
6 services:

7 (1) Provide documentation regarding the passenger's
8 COVID-19 vaccination status.

9 (2) Answer questions regarding the passenger's COVID-19
10 vaccination status.

11 (3) Wear or remove a face mask.

12 (b) Penalty.--

13 (1) The department shall withhold financial assistance
14 to a person providing community transportation service or
15 shared ride service or a local transportation organization
16 determined by the department to be in violation of subsection
17 (a).

18 (2) The department may only withhold financial
19 assistance for the time period in which the person providing
20 community transportation service or shared ride service or a
21 local transportation organization has or enforces a policy in
22 violation of subsection (a).

23 (3) If the department withholds financial assistance
24 under paragraph (1), the person providing community
25 transportation service or shared ride service or a local
26 transportation organization shall be eligible for financial
27 assistance upon certification to the department that the
28 person is in compliance with this section. Upon receipt of
29 the certification, the department shall provide to the person
30 or local transportation organization any financial assistance

1 the person or local transportation organization would have
2 been otherwise eligible for during the time period in which
3 financial assistance was withheld under paragraph (1).

4 (4) The department may not withhold Federal funds under
5 paragraph (1).

6 Section 7. Title 75 is amended by adding a section to read:
7 § 3724. Student medical discrimination prohibited.

8 (a) General rule.--A school district or a person contracted
9 with the school district may not require a student, or a parent
10 or legal guardian of the student, to do any of the following in
11 order to receive transportation on a school bus or school
12 vehicle:

13 (1) Provide documentation regarding the student's COVID-
14 19 vaccination status.

15 (2) Answer questions regarding the student's COVID-19
16 vaccination status.

17 (3) Wear or remove a face mask.

18 (b) Violation.--A violation of subsection (a) shall not be
19 considered a criminal offense and shall only be subject to the
20 penalty under subsection (c).

21 (c) Penalty.--Notwithstanding any other provision of law:

22 (1) The department shall withhold transportation funds
23 to a school district determined by the department to be in
24 violation of subsection (a).

25 (2) The department shall only withhold transportation
26 funds for the time period in which the school district or
27 contractor of the school district has or enforces a policy in
28 violation of subsection (a).

29 (3) If the department withholds transportation funds
30 under paragraph (1), the school district shall be eligible

1 for transportation funds upon certification to the department
2 that the school district is in compliance with this section.
3 Upon receipt of the certification, the department shall
4 provide to the school district or contractor any
5 transportation funds that the school district or contractor
6 would have been otherwise eligible for during the time period
7 in which the transportation funds were withheld under
8 paragraph (1).

9 (4) The department may not withhold Federal funds under
10 paragraph (1).

11 (d) Definitions.--As used in this section, the following
12 words and phrases shall have the meanings given to them in this
13 subsection unless the context clearly indicates otherwise:

14 "COVID-19." The novel coronavirus identified in the
15 proclamation of disaster emergency issued by the Governor on
16 March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020).

17 "COVID-19 vaccination." A vaccination for COVID-19 that has
18 received an emergency use authorization or approval from the
19 United States Food and Drug Administration.

20 "Department." The Department of Education of the
21 Commonwealth.

22 "Transportation funds." Any money allocated to the
23 department for distribution to school districts or contractors
24 of school districts for the purpose of student transportation.

25 Section 8. This act shall take effect in 60 days.