
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2295 Session of
2015

INTRODUCED BY SIMMONS, BAKER, MACKENZIE, MURT, YOUNGBLOOD, COOK-
ARTIS, RAPP, HARHART, SANKEY, SAYLOR, REED AND CHRISTIANA,
AUGUST 19, 2016

REFERRED TO COMMITTEE ON TRANSPORTATION, AUGUST 19, 2016

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 AND ISSUANCE OF PARKING PLACARDS

13 SUBCHAPTER B

14 REGISTRATION PLATES AND PARKING PLACARDS

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

16 § 1338.1. Expectant mother or parent of young child placard.

17 (a) Application.--On the application of an individual who is
18 pregnant or is the parent of a child under 36 months of age, the
19 department shall issue one special parking placard, of such size

1 and design as the department shall specify, that designates the
2 vehicle in which it is displayed as being used for the
3 transportation of expectant mothers or parents with children
4 under 36 months of age.

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

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

10 (2) A placard issued for an individual qualifying under
11 subsection (a) shall expire on the date which is 36 months
12 after the birth of the individual's child.

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

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

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

27 (d) Health care provider's statement.--An individual
28 applying for a placard under this section must present a
29 statement, certified by a physician, physician assistant or
30 certified registered nurse practitioner licensed or certified to

1 practice in this Commonwealth or in a contiguous state, that the
2 individual is an expectant mother or parent with a child under
3 36 months of age.

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

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

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

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

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

22 "Parent." As defined under 23 Pa.C.S. § 6303 (relating to
23 definitions).

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

26 § 3354. Additional parking regulations.

27 * * *

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

30 (1) When a motor vehicle bearing a person with a

1 disability or severely disabled veteran plate or displaying a
2 person with a disability or severely disabled veteran parking
3 placard as prescribed in this title is being operated by or
4 for the transportation of the person with a disability or
5 severely disabled veteran, the driver shall be relieved of
6 any liability for parking for a period of 60 minutes in
7 excess of the legal parking period permitted by local
8 authorities except where local ordinances or police
9 regulations provide for the accommodation of heavy traffic
10 during morning, afternoon or evening hours.

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

26 (3) (i) Except for persons parking vehicles lawfully
27 bearing a person with a disability or severely disabled
28 veteran registration plate or displaying a person with a
29 disability or severely disabled veteran parking placard
30 when such vehicles are being operated by or for the

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

1 the parking space is posted with a sign indicating that
2 vehicles in violation of this section may be towed.

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

16 * * *

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

26 (g) Special penalty; disposition.--

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

30 (2) All fines collected under this subsection shall be

1 disposed of as follows:

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

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

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