

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1811 Session of
2023

INTRODUCED BY CERRATO, WEBSTER, VENKAT, KAZEEM, KINSEY, ROZZI,
HANBIDGE, HOWARD, SANCHEZ, MADDEN, GALLAGHER, DELLOSO,
PROBST, CEPEDA-FREYTIZ, STEELE, GUENST, PARKER, SCHLOSSBERG,
HILL-EVANS, KRUPA, DALEY, DONAHUE, KRAJEWSKI, CIRESI AND
SHUSTERMAN, NOVEMBER 2, 2023

REFERRED TO COMMITTEE ON TRANSPORTATION, NOVEMBER 2, 2023

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in licensing of drivers, providing for
3 communication impairment designation; conferring powers and
4 imposing duties on the Department of Transportation; and
5 imposing a penalty.

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

8 Section 1. Title 75 of the Pennsylvania Consolidated
9 Statutes is amended by adding a section to read:

10 § 1521. Communication impairment designation.

11 (a) General rule.--A person that has a communication
12 impairment or a person that resides in the same household as a
13 person that has a communication impairment may apply with the
14 department to have a communication impairment designation added
15 to the department's records in accordance with the provisions of
16 this section. The department may prescribe eligibility
17 requirements for the designation under this section.

18 (b) Designation.--

1 (1) Upon receipt of a form provided under subsection
2 (c), the department shall independently validate the
3 information and immediately update the department's records
4 to reflect the elected designation on the person's vehicle
5 registration, driver's license or identification card.

6 (2) There shall be no fee for the designation.

7 (3) The designation shall not be visible on a vehicle
8 registration, driver's license or identification card.

9 (4) The department shall maintain records of the
10 approved designations and the associated emergency contact
11 information.

12 (c) Form.--The department shall develop a form to apply for
13 the designation with the department. The form shall require the
14 following information:

15 (1) Emergency contact information for the person that
16 has a communication impairment.

17 (2) A certificate that meets all of the following:

18 (i) Is signed by a physician, physician assistant,
19 certified nurse practitioner, psychologist, non-physical
20 mental health professional or physical therapist who is
21 licensed to practice in this Commonwealth.

22 (ii) Identifies the person for whom the
23 communication impairment designation is being elected.

24 (iii) Attests to the nature of the communication
25 impairment.

26 (3) Signature certification by the person that has a
27 communication impairment that the person:

28 (i) is voluntarily informing the department and law
29 enforcement that the person has a health condition or
30 disability that may impede effective communication with a

1 law enforcement officer; and

2 (ii) authorizes a communication impairment
3 designation to be added to the department's records for
4 law enforcement use only.

5 (d) Record sharing.--

6 (1) The department shall provide record sharing with law
7 enforcement agencies in this Commonwealth through existing
8 networks that can be made easily accessible during a traffic
9 stop, including the Commonwealth Law Enforcement Assistance
10 Network.

11 (2) The following information may be shared under
12 paragraph (1):

13 (i) A person's communication impairment designation.

14 (ii) A person's emergency contact information.

15 (e) Availability.--Records maintained and shared by the
16 department under this section shall not be made available to the
17 public and shall not constitute a public record subject to
18 public access under the act of February 14, 2008 (P.L.6, No.3),
19 known as the Right-to-Know Law.

20 (f) False reporting.--

21 (1) A person that intentionally makes a false statement
22 of material fact or commits or attempts to commit deception
23 or fraud on the form provided under this section is guilty of
24 a misdemeanor and, upon conviction, shall be sentenced to pay
25 a fine of not more than \$500 or to imprisonment for not more
26 than 30 days, per occurrence.

27 (2) (i) The department may cancel or revoke a
28 designation provided under this section if either of the
29 following applies:

30 (A) The department determines that the

1 designation was fraudulently or erroneously elected.

2 (B) The department determines that the
3 designation was abused during an encounter with law
4 enforcement.

5 (ii) The department shall provide the person with
6 the designation notice and an opportunity to be heard
7 before canceling or revoking the designation.

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

11 "Communication impairment." A health condition that may
12 impede communication with a law enforcement officer during a
13 traffic stop, including any of the following:

14 (1) Deafness or hearing loss.

15 (2) An autism spectrum disorder.

16 "Emergency contact information." The name, telephone number
17 or address of an individual that is used for the sole purpose of
18 contacting the individual when a person that has a communication
19 impairment has been involved in an emergency.

20 Section 2. This act shall take effect in 180 days.