
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1058 Session of
2015

INTRODUCED BY WOZNIAK, VOGEL, DINNIMAN, RAFFERTY, SCAVELLO,
GORDNER, TEPLITZ, FONTANA, COSTA, ARGALL, BREWSTER, BAKER,
EICHELBERGER AND GREENLEAF, NOVEMBER 13, 2015

REFERRED TO LAW AND JUSTICE, NOVEMBER 13, 2015

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in employees, providing for motorcycle
3 profiling prohibited.

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

6 Section 1. Title 53 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 2167.1. Motorcycle profiling prohibited.

9 (a) General rule.--No police officer or police department
10 may engage in motorcycle profiling in this Commonwealth.

11 (b) Duty of commission.--The commission shall include, as
12 part of the basic and in-service training required by this
13 subchapter, instruction on what conduct constitutes motorcycle
14 profiling in patrol procedures and other police department
15 operations and the duty to refrain from engaging in motorcycle
16 profiling.

17 (c) Duty of police departments.--A police department shall
18 include in its patrol procedures and operations policies a

1 statement that condemns motorcycle profiling.

2 (d) Private right of action established.--A victim of
3 motorcycle profiling may bring a private right of action in a
4 court of competent jurisdiction against any police officer or
5 police department that engages in motorcycle profiling in
6 violation of this section. In the action, the victim may be
7 awarded injunctive relief, actual damages, punitive damages and
8 reasonable attorney fees and costs.

9 (e) Definition.--As used in this section, "motorcycle
10 profiling" means the use of the fact that an individual rides a
11 motorcycle or wears clothes or possesses paraphernalia that a
12 reasonable person associates with such individuals as a factor
13 in a decision to stop and question, take enforcement action
14 against, arrest or search the individual or motorcycle in
15 violation of Federal or State law.

16 Section 2. This act shall take effect in 60 days.