



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 070092

Introduced February 15, 2007

Councilmember Clarke

**Referred to the
Committee on Education**

AN ORDINANCE

Amending Chapter 12-1100 of The Philadelphia Code, entitled "Miscellaneous Regulations and Penalties," by adding a new Section, entitled "Prohibited Operation by Truant Minors," prohibiting minors who have been determined to be truants from driving in Philadelphia under the age of 18, and providing for penalties, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

Section 1. Chapter 12-1100 of The Philadelphia Code, entitled "Miscellaneous Regulations and Penalties," is amended to add a new Section 12-1129 and by renumbering and amending current Sections 12-1129 and 12-1130, under certain terms and conditions, as follows:

§12-1129. Prohibited Operation by Truant Minors.

(1) Definition. A "truant minor" is a person, under the age of 18, who has been adjudicated guilty of a violation of Section 13-1333 of the Public School Code of 1949, 24 P.S. § 13-1333, relating to compulsory attendance.

(2) Prohibited Conduct. No person, under the age of 18, who has been adjudicated guilty of a violation of Section 13-1333 of the Public School Code of 1949, 24 P.S. § 13-1333, shall be permitted to operate in Philadelphia any vehicle for which a license is required under Chapter 15 of the Pennsylvania Vehicle Code, 75 Pa.C.S.A. Ch. 15. No owner of a vehicle in Philadelphia shall permit operation of such vehicle by a truant minor.

[§12-1129] §12-1130. Penalty.

City of Philadelphia

BILL NO. 070092 continued

(1) Any person violating the provisions of Sections 12-1101, 12-1114, 12-1115, 12-1116, 12-1119, 12-1121, and 12-1122 shall, upon summary conviction before a magistrate, pay a fine of fifty (50) dollars together with costs of prosecution; except that persons violating Section 12-1118 shall pay a fine of three (3) dollars together with costs of prosecution; except further, that persons violating any other provision of this Chapter (other than Sections 12-1113(3), 12-1120, 12-1123, 12-1124, 12-1126, 12-1127, [and] 12-1128, *and 12-1129*) shall pay a fine of ten (10) dollars together with costs of prosecution.

(2) Any person violating any of the provisions of Sections 12-1113(3), 12-1120, 12-1123, 12-1124, 12-1126, 12-1127(1), 12-1127(2), 12-1127(3) and 12-1128 shall be liable for payment of fines, costs and additional fees prescribed and assessed in accordance with the provisions of Chapter 12-2800 of this Title.

(3) Any person violating any of the provisions of Section 12-1129 shall be liable for payment of fines, costs and additional fees prescribed and assessed in accordance with the provisions of Section 1-109 of this Code, as well as be subject to the penalty provided in Section 12-1131.

[§12-1130] §12-1131. Vehicle Seizures.

(1) Any police officer who discovers a vehicle upon any street of the City which is not registered as required under 75 Pa.C.S.A. Section 1301, or which does not display a registration plate as required by 75 Pa.C.S.A. Section 1332, or whose driver is not licensed as required by 75 Pa. C.S.A. Section 1501 or which is not covered by financial responsibility as required by 75 Pa.C.S.A. Section 1786 *or which is being operated by a truant minor in violation of Section 12-1129 of this Title*, may seize or otherwise immobilize the vehicle to render it inoperable.

(2) Except as otherwise set forth in this section, the procedures set forth in Chapter 12-2400 shall apply to the seizure or immobilization of a vehicle pursuant to this Section.

(3) When an impounded vehicle is returned to its owner, or any person on behalf of the owner, such person shall sign a receipt for the vehicle after furnishing satisfactory evidence of the person's identity, ownership of the vehicle (or agency on behalf of the owner), valid driver's license, registration and valid financial responsibility.

Section 2. This Ordinance shall become effective upon the enactment of authorizing legislation by the Pennsylvania General Assembly.

City of Philadelphia

BILL NO. 070092 continued

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.

City of Philadelphia

BILL NO. 070092 continued