

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 170117)

RESOLUTION

Calling on state legislators to reevaluate and increase the fines and penalties for passing a stopped trolley, in light of continued incidents of pedestrian related deaths in the City of Philadelphia.

WHEREAS, The Pennsylvania Motor Vehicle Code regulates the passing of “streetcars” or “trolleys” by motor vehicles on the street; and

WHEREAS, Section 3315(a) of The State’s Motor Vehicle Code states “the driver of a vehicle may not overtake and pass to the left of a streetcar proceeding in the same direction, whether the streetcar is actually in motion or temporarily halted to receive or discharge passengers, if overtaking or passing requires driving in a lane normally used by traffic moving in the opposite direction”; and

WHEREAS, Additionally, Section 3315(b) states “the driver of a vehicle may not overtake and pass a streetcar which has stopped to receive or discharge passengers on the side on which passengers board or alight until the doors of the streetcar are closed and passengers who are discharged have reached the side of the highway”; and

WHEREAS, Despite these regulations, it is far too common for motorists driving on Philadelphia streets to pass a stopped trolley car, even when the trolley’s lights are flashing. Flashing lights on a trolley car indicates that a passenger is attempting to enter or exit the trolley; and

WHEREAS, Philadelphia continues to experience tragic, and often fatal, trolley-related accidents, caused by vehicles that pass stopped trolley cars while the trolley’s lights are flashing; and

WHEREAS, In November of 2015, 38-year-old Miriam Wilson was struck by a vehicle as she crossed the street on the 5400 block of Woodland Avenue. The striking vehicle

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passed a trolley that was stopped on Woodland Avenue. Wilson, a mother of three, was on her way to work at a daycare. She was pronounced dead at the scene; and

WHEREAS, Most recently, in January of 2017, 48-year-old Catherine Brown was struck and killed by a vehicle as she exited a trolley on the 5700 block of Girard Avenue. The driver did not stop at the scene. Brown was holding her 3-year-old grandson when she was hit; and

WHEREAS, The fine for illegally passing a trolley is only \$137; and

WHEREAS, It is clear that this fine is not an adequate deterrent, and state legislators have a duty to enact appropriate motor vehicle laws and penalties for the protection of its citizens; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That it hereby calls on state legislators to reevaluate and increase the fines and penalties for passing a stopped trolley, in light of continued incidents of pedestrian related deaths in the City of Philadelphia.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the sixteenth of February, 2017.

Darrell L. Clarke
PRESIDENT OF THE COUNCIL

Michael A. Decker
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Jones

Sponsored by: Councilmembers Jones and Squilla, Johnson and Henon