
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1089 Session of
2013

INTRODUCED BY HANNA, MILLARD, CALTAGIRONE, KOTIK, KAVULICH,
FABRIZIO, FARINA, KORTZ, HARHAI, DENLINGER, FLYNN, READSHAW,
MAHONEY, BIZZARRO, CLYMER, MULLERY, GODSHALL, COHEN, GILLEN
AND EVERETT, APRIL 2, 2013

REFERRED TO COMMITTEE ON GAME AND FISHERIES, APRIL 2, 2013

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated
2 Statutes, in special licenses and permits, further providing
3 for disabled person permits.

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

6 Section 1. Section 2923(a) of Title 34 of the Pennsylvania
7 Consolidated Statutes is amended and the section is amended by
8 adding a subsection to read:

9 § 2923. Disabled person permits.

10 (a) Use of vehicle [as a blind].--

11 (1) Unless further restricted by commission regulation,
12 a lifetime permit to hunt from a stationary vehicle or an
13 electric motorized off-highway vehicle may be issued to a
14 person with permanent disabilities who qualified for a
15 hunting license pursuant to Chapter 27 (relating to hunting
16 and furtaking licenses) or who possesses a junior resident
17 license under section 2705(2) (relating to classes of

1 licenses) and who meets any of the following requirements:

2 (i) Has a permanent or irreversible physical
3 disability and is unable to ambulate and requires a
4 wheelchair, walker, one leg brace or external prosthesis
5 above the knee, two leg braces or external prostheses
6 below the knees, two crutches or two canes for mobility.

7 (ii) Suffers significantly from lung disease to the
8 extent that forced expiratory volume for one second when
9 measured by spirometry is less than one liter or the
10 arterial oxygen tension (po) is less than 60 millimeters
11 of mercury on room air at rest. This subparagraph would
12 also apply to someone who is oxygen dependent 24 hours a
13 day, seven days a week.

14 (iii) Suffers significantly from cardiovascular
15 disease to the extent that functional limitations are
16 classified in severity as class 3 or 4 according to the
17 current standards accepted by the American Heart
18 Association and where ordinary physical activity results
19 in fatigue, palpitation, dyspnea or anginal pain.

20 (iv) Has a disability or combination of disabilities
21 creating a minimum impairment of function of or
22 equivalent to no less than 90% loss of function in one
23 leg or no more than 10% maximal functional use in one leg
24 regardless of the functional level of the other leg.

25 (2) Unless further restricted by commission regulation,
26 a permit to hunt from a stationary vehicle or an electric
27 motorized off-highway vehicle may be issued to a person who
28 qualified for a hunting license pursuant to Chapter 27 and
29 presents an affidavit and doctor's certificate stating the
30 applicant has a temporary disability that restricts mobility

1 or ambulation of any distance due to illness or injury and
2 operative procedures and who either has a leg, hip or back or
3 any part thereof casted by a licensed physician due to a
4 fracture or has leg, hip or back surgery. This permit is only
5 valid for the license year in which issued.

6 (3) Permittees shall carry the permit upon their person
7 while hunting. Any person named on this permit may hunt while
8 using an electric motorized off-highway vehicle, an
9 automobile or vehicle other than an electric motorized off-
10 highway vehicle. While hunting, no permittee shall drive an
11 electric motorized off-highway vehicle at a speed in excess
12 of ten miles per hour. An automobile or [other vehicle]
13 vehicle other than an electric motorized off-highway vehicle
14 may only be used as a blind. While using an automobile or
15 vehicle other than an electric motorized off-highway vehicle,
16 the following shall apply:

17 (i) The permittee shall not use the vehicle to flush
18 or locate game.

19 (ii) The vehicle may be used only as a blind or
20 platform from which to shoot.

21 (iii) The firearm shall be unloaded at all times
22 while the vehicle is in motion.

23 (4) Any person who possesses a junior resident license
24 under section 2705(2) and otherwise qualifies for a disabled
25 person permit must comply with section 2711(a)(8) (relating
26 to unlawful acts concerning licenses). Any parent or person
27 18 years of age or older serving in loco parentis or as
28 guardian or some other family member 18 years of age or older
29 shall not use a vehicle [as a blind] unless that person meets
30 the requirements of this section.

1 * * *

2 (e) Definition.--As used in this section, the term "off-
3 highway vehicle" means a vehicle that is used off-highway for
4 sport or recreation or a self-propelled wheelchair or mobility
5 device operated by and designed for the exclusive use of a
6 person with a mobility-related disability. The term does not
7 include any vehicle that is required to be registered under 75
8 Pa.C.S. Ch. 13 (relating to registration of vehicles).

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