

No. 1990-9

AN ACT

HB 652

Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for juvenile appearances before district justices.

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

Section 1. Title 42 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

§ 1522. *Notice of summary cases involving juveniles.*

(a) *General rule.*—Whenever an individual who is under 18 years of age and is not emancipated is charged with a summary offense for which jurisdiction is vested in a district justice under section 1515 (relating to jurisdiction and venue), the district justice shall mail a copy of the citation, or other appropriate written notification, to the parents or legal guardians of the individual at the time of the filing of the citation if the parents or legal guardians have not been previously notified by the police. Where the individual is not residing with a parent or legal guardian, the copy of the citation, or other appropriate written notification, shall be sent to the person with whom the individual resides if a verifiable address is available. In such cases a district justice shall not accept a plea or schedule a hearing before 72 hours has lapsed from the time of the mailing of the notice as required under this section. Failure to provide notice under this section shall not constitute grounds for dismissal of the summary offense.

(b) *Vehicle offenses.*—Nothing in this section shall apply to violations of Title 75 (relating to vehicles), except for 75 Pa.C.S. § 1543 (relating to driving while operating privilege is suspended or revoked).

(c) *Identification of juveniles.*—Pennsylvania State Police and local police shall assist district justices in complying with the requirements of this section by indicating, through conspicuous notation on citations, that the offense was committed by a juvenile and whether the police have notified the parents or legal guardian.

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

APPROVED—The 14th day of February, A. D. 1990.

ROBERT P. CASEY