

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1789 Session of
1985

INTRODUCED BY DALEY, TIGUE, PISTELLA, KASUNIC, COLAFELLA,
BELFANTI, CARLSON, JOHNSON, PETRONE, GODSHALL, SERAFINI,
NAHILL, BOWSER, MORRIS, J. TAYLOR, McVERRY, WOGAN, FOX,
REBER, CIVERA, MAIALE, REINARD, LINTON, OLASZ, TRELLO, CARN
AND LUCYK, OCTOBER 16, 1985

REFERRED TO COMMITTEE ON TRANSPORTATION, OCTOBER 16, 1985

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, providing for the issuance of a limited drive-to-
3 work-only permit to persons whose license is revoked or
4 suspended.

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

7 Section 1. Sections 1541 and 1543 of Title 75 of the
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 1541. Period of revocation or suspension of operating
10 privilege.

11 (a) Commencement of period.--The period of revocation or
12 suspension of the operating privilege shall commence on the date
13 on which the driver's license was surrendered to and received by
14 the court or the department, as the case may be. The period of
15 revocation or suspension of a nonresident licensed driver or an
16 unlicensed driver shall commence on the date of conviction, or
17 in the case of a revocation or suspension without a conviction,

1 on a date determined by the department in accordance with its
2 regulations. The department may, upon request of the person
3 whose license is suspended, delay the commencement of the period
4 of suspension for a period not exceeding six months whenever the
5 department determines that failure to grant the extension will
6 result in hardship to the person whose license has been
7 suspended.

8 (b) Eligibility for restoration of operating privilege.--Any
9 person whose operating privilege has been revoked or suspended
10 shall not be eligible for the restoration of the operating
11 privilege until the expiration of the period of revocation or
12 suspension.

13 (c) Restoration of revoked operating privilege.--Any person
14 whose operating privilege has been revoked is not entitled to
15 automatic restoration of the operating privilege. Such person
16 may apply for a license if permitted under the provisions of
17 this chapter and shall be issued a learner's permit under
18 section 1505 (relating to learners' permits) upon expiration of
19 the revocation.

20 (d) Limited work permits.--A person whose driver's license
21 has been revoked or suspended may apply to the department for a
22 limited permit to drive back and forth to the applicant's place
23 of employment and as may be required by his employer during the
24 hours of employment. The applicant shall have the burden of
25 proving to the department that denial of this permit would
26 create an extreme hardship for the applicant, his employer and
27 anyone else who would be affected directly by a denial of the
28 permit.

29 § 1543. Driving while operating privilege is suspended or
30 revoked.

1 (a) Offense defined.--Except as provided in subsection (b)
2 or in section 1541(d) (relating to limited work permits), any
3 person who drives a motor vehicle on any highway or trafficway
4 of this Commonwealth at a time when their operating privilege is
5 suspended, revoked or recalled is guilty of a summary offense
6 and shall, upon conviction, be sentenced to pay a fine of \$200.

7 (b) Certain offenses.--Any person who drives a motor vehicle
8 on any highway or trafficway of this Commonwealth at a time when
9 their operating privilege is suspended or revoked as a condition
10 of acceptance of Accelerated Rehabilitative Disposition for a
11 violation of section 3731 (relating to driving under influence
12 of alcohol or controlled substance) or because of a violation of
13 section 1547(b)(1) (relating to suspension for refusal) or 3731
14 shall, upon conviction, be guilty of a summary offense and shall
15 be sentenced to pay a fine of \$1,000 and to undergo imprisonment
16 for a period of not less than 90 days.

17 (c) Extending existing suspension or revocation.--The
18 department, upon receiving a certified record of the conviction
19 of any person under this section upon a charge of driving a
20 vehicle while the operating privilege was suspended, shall
21 revoke such privilege for an additional period of six months. If
22 the conviction was upon a charge of driving while the operating
23 privilege was revoked, the department shall revoke the operating
24 privilege for an additional period of one year.

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