

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 445 Session of  
1995

INTRODUCED BY DeLUCA, STABACK, PESCI, MELIO, READSHAW, TRELLO,  
KENNEY, FAJT, DONATUCCI, YOUNGBLOOD, EGOLF AND BATTISTO,  
JANUARY 31, 1995

REFERRED TO COMMITTEE ON TRANSPORTATION, JANUARY 31, 1995

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for the impoundment of a vehicle  
3 for the owner's failure to pay the fine and costs on a  
4 conviction of driving while operating privilege is suspended  
5 or revoked.

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

8 Section 1. Section 6309 of Title 75 of the Pennsylvania  
9 Consolidated Statutes is amended to read:

10 § 6309. Impoundment of vehicles for nonpayment of fines.

11 (a) General rule.--Upon imposition of a fine of \$200 imposed  
12 pursuant to section 1501 (relating to drivers required to be  
13 licensed) or 1543 (relating to driving while operating privilege  
14 is suspended or revoked) or a fine in excess of \$250 imposed  
15 pursuant to section 1301 (relating to registration and  
16 certificate of title required), 1371 (relating to operation  
17 following suspension of registration), 4107(b) (relating to  
18 unlawful activities) or Chapter 49 (relating to size, weight and  
19 load), the defendant shall be allowed 24 hours to obtain the

1 funds and pay the fine and costs of prosecution, during which  
2 time the vehicle or combination shall be rendered temporarily  
3 inoperative by [such] a police officer or constable [as]  
4 designated by the issuing authority [shall designate]. On  
5 default of payment within the 24-hour period, the issuing  
6 authority may impound the vehicle or combination and order a  
7 police officer or constable to seize it.

8 (b) Storage.--Upon impoundment, the issuing authority shall  
9 forthwith notify the sheriff of the county in which the  
10 violation occurred, who shall store the impounded vehicle or  
11 combination.

12 (c) Notice of impoundment.--The sheriff shall give immediate  
13 notice by the most expeditious means and by certified mail,  
14 return receipt requested, of the impoundment and location of the  
15 vehicle or combination to the owner of the vehicle or  
16 combination and the owner of the load if the names and addresses  
17 of the owner are known or can be ascertained by the sheriff.

18 (d) Cost.--The police officer's, constable's and sheriff's  
19 costs, reasonable storage costs and all other reasonable costs  
20 incident to seizure and impounding under subsections (a) and (b)  
21 shall be recoverable in addition to costs of prosecution.

22 (e) Applicability.--[This]

23 (1) Except for violations of section 1501 or 1543, this  
24 section shall not apply in the case of a vehicle duly  
25 registered in this Commonwealth.

26 (2) In the case of violations of section 1501 or 1543,  
27 this section shall apply only if the vehicle is owned by the  
28 defendant.

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