

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1992 Session of  
1995

INTRODUCED BY RUBLEY, GANNON, CORRIGAN, GEIST, RAMOS, McGEEHAN,  
PITTS, MCGILL, KENNEY, BARD, LEDERER, SAYLOR, GODSHALL,  
FARGO, WALKO, B. SMITH, MILLER, CLARK, E. Z. TAYLOR,  
BATTISTO, PETTIT, BAKER, M. COHEN, STEIL, STISH, YOUNGBLOOD,  
SERAFINI, MERRY, HENNESSEY, L. I. COHEN, CIVERA, WOGAN AND  
STEELMAN, SEPTEMBER 20, 1995

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 20, 1995

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, further providing for  
3 sentencing for criminal mischief.

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

6 Section 1. Section 9720 of Title 42 of the Pennsylvania  
7 Consolidated Statutes is amended by adding a subsection to read:  
8 § 9720. Sentencing for criminal mischief.

9 \* \* \*

10 (c) Restriction of operating privilege.--

11 (1) If a person is convicted of or a minor is  
12 adjudicated delinquent for a violation of 18 Pa.C.S. §§  
13 3304(a) and 3307(a.1), the court shall order that the  
14 operating privilege of the person be suspended for a period  
15 of not more than one year.

16 (2) If at the time of conviction or adjudication of

1 delinquency the person's operating privilege has been  
2 suspended or revoked, the court shall order the Department of  
3 Transportation to extend the period of suspension or  
4 revocation by an additional period of not more than one year.

5 (3) In the case of a minor who is ineligible by reason  
6 of age for a driver's license, the court shall order the  
7 Department of Transportation to withhold issuance of the  
8 minor's driver's license for not more than one year after the  
9 date on which the minor would otherwise have become eligible  
10 to apply for a driver's license.

11 (4) A person whose driver's license or operating  
12 privilege is revoked, suspended or withheld may, subject to  
13 court approval, elect to reduce the period of revocation,  
14 suspension or withholding by performing court-supervised  
15 community service under this subsection. The court shall  
16 establish the terms under which the period of revocation,  
17 suspension or withholding may be reduced by the performance  
18 of community service, and shall notify the Department of  
19 Transportation of the reduction, if any, approved by the  
20 court.

21 (5) Notwithstanding any other provision of law to the  
22 contrary, a person whose driver's license has been suspended  
23 under this subsection shall be eligible to apply for an  
24 occupational limited license under 75 Pa.C.S. § 1553  
25 (relating to occupational limited license) if suspension of  
26 the person's operating privilege would create an undue family  
27 hardship and the person requires a driver's license for  
28 employment, medical or educational purposes.

29 (6) An insurer shall not increase premiums, impose any  
30 surcharge or rate penalty, or make any driver record point

1 assignment for automobile insurance, nor shall an insurer  
2 cancel or refuse to renew an automobile insurance policy on  
3 account of a suspension under this subsection.

4 (7) Community service performed under this subsection  
5 shall be in addition to a period of community service ordered  
6 under subsection (a).

7 (8) As used in this subsection, the term "community  
8 service" means cleaning graffiti from public property.

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