

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 121 Session of
2005

INTRODUCED BY ROEBUCK, KIRKLAND, KOTIK, LEDERER, McCALL,
PISTELLA, THOMAS AND WASHINGTON, JANUARY 31, 2005

SENATOR WENGER, APPROPRIATIONS, IN SENATE, RE-REPORTED AS
AMENDED, APRIL 3, 2006

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, FURTHER PROVIDING FOR PERIOD OF DISQUALIFICATION, <—
3 REVOCATION OR SUSPENSION OF OPERATING PRIVILEGE; providing
4 for passing and overtaking streetcars AND FOR SNOW AND ICE <—
5 DISLODGED OR FALLING FROM MOVING VEHICLES; AND FURTHER
6 PROVIDING FOR IGNITION INTERLOCK.

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

9 ~~Section 1. Title 75 of the Pennsylvania Consolidated~~ <—
10 ~~Statutes is amended by adding to read:~~

11 SECTION 1. SECTION 1541(D) OF TITLE 75 OF THE PENNSYLVANIA <—
12 CONSOLIDATED STATUTES IS AMENDED TO READ:

13 § 1541. PERIOD OF DISQUALIFICATION, REVOCATION OR SUSPENSION OF
14 OPERATING PRIVILEGE.

15 * * *

16 (D) CONTINUED SUSPENSION OF OPERATING PRIVILEGE.--A
17 DEFENDANT ORDERED BY THE COURT UNDER SECTION 3816 (RELATING TO
18 REQUIREMENTS FOR DRIVING UNDER INFLUENCE OFFENDERS), AS THE

1 RESULT OF A CONVICTION OR ACCELERATED REHABILITATIVE DISPOSITION
2 OF A VIOLATION OF SECTION 3802 TO ATTEND A TREATMENT PROGRAM FOR
3 ALCOHOL OR DRUG ADDICTION MUST SUCCESSFULLY COMPLETE ALL
4 REQUIREMENTS OF THE TREATMENT PROGRAM ORDERED BY THE COURT
5 BEFORE THE DEFENDANT'S OPERATING PRIVILEGE MAY BE RESTORED.
6 SUCCESSFUL COMPLETION OF A TREATMENT PROGRAM INCLUDES THE
7 PAYMENT OF ALL COURT-IMPOSED FINES AND COSTS, AS WELL AS FEES TO
8 BE PAID TO THE TREATMENT PROGRAM BY THE DEFENDANT. FOR THE
9 PURPOSES OF RESTORING A SUSPENDED LICENSE, BEING CURRENT ON A
10 PAYMENT PLAN SHALL BE CONSIDERED AS A PART OF A SUCCESSFULLY
11 COMPLETED PROGRAM. IF A DEFENDANT FAILS TO SUCCESSFULLY COMPLETE
12 THE REQUIREMENTS OF A TREATMENT PROGRAM, THE SUSPENSION SHALL
13 REMAIN IN EFFECT UNTIL THE DEFENDANT COMPLETES THE PROGRAM AND
14 IS OTHERWISE ELIGIBLE FOR RESTORATION OF HIS OPERATING
15 PRIVILEGE. THE TREATMENT AGENCY SHALL IMMEDIATELY NOTIFY THE
16 COURT OF SUCCESSFUL COMPLETION OF THE TREATMENT PROGRAM. THE
17 FINAL DECISION AS TO WHETHER A DEFENDANT HAS SUCCESSFULLY
18 COMPLETED THE TREATMENT PROGRAM RESTS WITH THE COURT.

19 SECTION 2. TITLE 75 IS AMENDED BY ADDING SECTIONS TO READ:
20 § 3315. Passing and overtaking streetcars.

21 (a) General rule.--Notwithstanding any other provision of
22 this subchapter, the driver of a vehicle may not overtake and
23 pass to the left of a streetcar proceeding in the same
24 direction, whether the streetcar is actually in motion or
25 temporarily halted to receive or discharge passengers, if
26 overtaking or passing requires driving in a lane normally used
27 by traffic moving in the opposite direction.

28 (b) Streetcar stopped to receive or discharge passengers.--
29 The driver of a vehicle may not overtake and pass a streetcar
30 which has stopped to receive or discharge passengers on the side

1 on which passengers board or alight until the doors of the
2 streetcar are closed and passengers who are discharged have
3 reached the side of the highway.

4 (c) Applicability.--This section shall not be applicable to
5 locations where streetcars are operating on tracks located
6 within a median section of the roadway separated from the
7 roadway by curbs or other physical barriers.

8 § 3720. SNOW AND ICE DISLODGED OR FALLING FROM MOVING VEHICLE. <—

9 WHEN SNOW OR ICE IS DISLODGED OR FALLS FROM A MOVING VEHICLE
10 AND STRIKES ANOTHER VEHICLE OR PEDESTRIAN CAUSING INJURY OR
11 PROPERTY DAMAGE, THE OPERATOR OF THE VEHICLE FROM WHICH THE SNOW
12 OR ICE IS DISLODGED OR FALLS SHALL BE SUBJECT TO A FINE OF NOT
13 LESS THAN \$200 NOR MORE THAN \$1,000 FOR EACH OFFENSE.

14 SECTION 3. SECTION 3805 OF TITLE 75 IS AMENDED BY ADDING A
15 SUBSECTION TO READ:

16 § 3805. IGNITION INTERLOCK.

17 * * *

18 (H.1) MOBILE INSTALLATION SERVICES.--APPROVED SERVICE
19 PROVIDERS OF DEPARTMENT-CERTIFIED MANUFACTURERS OF IGNITION
20 INTERLOCK SYSTEMS SHALL BE PERMITTED TO PROVIDE MOBILE
21 INSTALLATION OF IGNITION INTERLOCK SYSTEMS WITHIN THIS
22 COMMONWEALTH. REGULAR MAINTENANCE OF IGNITION INTERLOCKS AFTER
23 MOBILE INSTALLATION SHALL BE PERFORMED ACCORDING TO THE
24 SPECIFICATIONS ESTABLISHED BY THE DEPARTMENT.

25 * * *

26 Section 2 4. This act shall take effect in 60 days. <—