

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

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, APRIL 24, 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  
19 RESULT OF A CONVICTION OR ACCELERATED REHABILITATIVE DISPOSITION

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

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

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

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

1 streetcar are closed and passengers who are discharged have  
2 reached the side of the highway.

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

7 § 3720. SNOW AND ICE DISLODGED OR FALLING FROM MOVING VEHICLE. <—

8 WHEN SNOW OR ICE IS DISLODGED OR FALLS FROM A MOVING VEHICLE

9 AND STRIKES ANOTHER VEHICLE OR PEDESTRIAN CAUSING INJURY OR <—

10 PROPERTY DAMAGE DEATH OR SERIOUS BODILY INJURY AS DEFINED IN <—

11 SECTION 3742 (RELATING TO ACCIDENTS INVOLVING DEATH OR PERSONAL

12 INJURY), THE OPERATOR OF THE VEHICLE FROM WHICH THE SNOW OR ICE

13 IS DISLODGED OR FALLS SHALL BE SUBJECT TO A FINE OF NOT LESS

14 THAN \$200 NOR MORE THAN \$1,000 FOR EACH OFFENSE.

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

17 § 3805. IGNITION INTERLOCK.

18 \* \* \*

19 ~~(H.1) MOBILE INSTALLATION SERVICES. APPROVED SERVICE~~ <—

20 (H.1) MOBILE INSTALLATION SERVICES.-- <—

21 (1) APPROVED SERVICE PROVIDERS OF DEPARTMENT-CERTIFIED

22 MANUFACTURERS OF IGNITION INTERLOCK SYSTEMS SHALL BE

23 PERMITTED TO PROVIDE MOBILE INSTALLATION OF IGNITION

24 INTERLOCK SYSTEMS WITHIN THIS COMMONWEALTH. REGULAR <—

25 MAINTENANCE OF IGNITION INTERLOCKS AFTER COMMONWEALTH. <—

26 (2) MOBILE INSTALLATION OF IGNITION INTERLOCK SYSTEMS

27 SHALL BE HELD TO THE SAME SECURITY AND PROCEDURAL STANDARDS

28 AS PROVIDED IN SPECIFICATIONS OF THE DEPARTMENT.

29 (3) APPROVED SERVICE PROVIDERS OF MOBILE INSTALLATION OF

30 IGNITION INTERLOCK SYSTEMS SHALL NOT PERMIT THE PROGRAM

1 PARTICIPANT OR ANY UNAUTHORIZED PERSONNEL TO WITNESS THE  
2 INSTALLATION OF THE IGNITION INTERLOCK SYSTEM.

3 (4) REGULAR MAINTENANCE OF IGNITION INTERLOCKS AFTER  
4 MOBILE INSTALLATION SHALL BE PERFORMED ACCORDING TO THE  
5 SPECIFICATIONS ESTABLISHED BY THE DEPARTMENT.

6 \* \* \*

7 Section ~~2~~ 4. This act shall take effect in 60 days.

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