

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 223 Session of  
2007

INTRODUCED BY DePASQUALE, BLACKWELL, MAHONEY, PRESTON, PYLE AND  
STURLA, FEBRUARY 5, 2007

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 5, 2007

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further authorizing operating privilege suspension  
3 for certain offenses of prostitution.

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

6 Section 1. Section 1532 of Title 75 of the Pennsylvania  
7 Consolidated Statutes is amended by adding a subsection to read:  
8 § 1532. Suspension of operating privilege.

9 \* \* \*

10 (e) Suspension and prostitution.--The department shall  
11 suspend the operating privilege of any person upon receiving a  
12 certified record of the driver's conviction under 18 Pa.C.S. §  
13 5902(e) (relating to prostitution and related offenses) or  
14 conviction under any municipal corporation ordinance relating to  
15 prostitution offenses. The duration of the suspension shall be  
16 as follows:

17 (1) For a first offense, the department shall impose a  
18 suspension for a period of 60 days.

1       (2) For a second offense, the department shall impose a  
2 suspension for a period of 180 days.

3       (3) For a third offense, the department shall impose a  
4 suspension for a period of one year.

5       (4) For a fourth and subsequent offense, the department  
6 shall impose a suspension for a period of two years. Any  
7 multiple suspensions imposed shall be served consecutively.

8       (5) The court shall provide the department with a  
9 certified record of the conviction of any person under 18  
10 Pa.C.S. § 5902(e) or conviction under any municipal  
11 corporation ordinance relating to prostitution offenses.

12       (6) Any person whose license is suspended under this  
13 subsection may qualify for an occupational limited license.  
14 The person must meet and follow requirements set forth in  
15 section 1553 (relating to occupational limited license) in  
16 applying and using an occupational limited license. Those  
17 convicted of a fourth and subsequent offense shall not  
18 qualify for an occupational limited license.

19       (7) A person whose operating privilege is suspended  
20 under this subsection may elect to reduce the period of  
21 suspension imposed by the court by performing court-  
22 authorized community service. The period of suspension  
23 ordered by the court shall be reduced at the rate of one day  
24 for each hour of community service performed, for a maximum  
25 reduction in suspension of 30 days for those convicted of a  
26 first offense and 90 days for those convicted of a second  
27 offense. Those convicted of third or subsequent offenses will  
28 not qualify for the community service allowance. The court  
29 must approve any community service plan and have final  
30 oversight on whether the person adequately performed the

1 community service. The court shall notify the department that  
2 the person performed the community service and shall order  
3 reduction in suspension.

4 (8) Reinstatement of operating privileges shall be  
5 governed by section 1545 (relating to restoration of  
6 operating privilege).

7 (9) The suspension of operating privileges pursuant to  
8 this section shall be in addition to a penalty imposed upon  
9 conviction of 18 Pa.C.S. § 5902(e) or upon conviction of any  
10 municipal ordinance relating to prostitution offenses.

11 Section 2. Section 1542(b) of Title 75 is amended by adding  
12 a paragraph to read:

13 § 1542. Revocation of habitual offender's license.

14 \* \* \*

15 (b) Offenses enumerated.--Three convictions arising from  
16 separate acts of any one or more of the following offenses  
17 committed by any person shall result in such person being  
18 designated as a habitual offender:

19 \* \* \*

20 (5) Any violation of section 1532(e) (relating to  
21 suspension of operating privilege).

22 \* \* \*

23 Section 3. Section 1575(b) of Title 75 is amended to read:  
24 § 1575. Permitting violation of title.

25 \* \* \*

26 (b) Penalty.--Any person violating the provisions of  
27 subsection (a) is guilty of a summary offense and is subject to  
28 the same fine as the driver of the vehicle. If the driver is  
29 convicted under section 1532(e) (relating to suspension of  
30 operating privilege), 3735 (relating to homicide by vehicle

1 while driving under influence) or 3802 (relating to driving  
2 under influence of alcohol or controlled substance), the person  
3 violating subsection (a) shall also be subject to suspension or  
4 revocation, as applicable, under sections 1532 [(relating to  
5 revocation or suspension of operating privilege)], 1542  
6 (relating to revocation of habitual offender's license) and  
7 3804(e) (relating to penalties).

8 \* \* \*

9 Section 4. This act shall take effect immediately.