

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1787 Session of
2013

INTRODUCED BY CALTAGIRONE, GODSHALL, DAVIDSON, ROZZI, MCNEILL,
PAINTER, COHEN, DeLUCA, V. BROWN, WATSON AND DENLINGER,
OCTOBER 21, 2013

REFERRED TO COMMITTEE ON TRANSPORTATION, OCTOBER 21, 2013

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in general provisions, adding definitions for
3 "attendance officer" and "habitually truant"; and, in
4 licensing of drivers, further providing for persons
5 ineligible for licensing, license issuance to minors, junior
6 driver's license, learners' permits, for notice of change of
7 name or address, for suspension of operating privilege and
8 for driving while operating privilege is suspended or
9 revoked.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. Section 102 of Title 75 of the Pennsylvania
13 Consolidated Statutes is amended by adding definitions to read:

14 § 102. Definitions.

15 Subject to additional definitions contained in subsequent
16 provisions of this title which are applicable to specific
17 provisions of this title, the following words and phrases when
18 used in this title shall have, unless the context clearly
19 indicates otherwise, the meanings given to them in this section:

20 * * *

21 "Attendance officer." An attendance officer appointed under

1 sections 1341 and 1342 of the act of March 10, 1949 (P.L.30,
2 No.14), known as the Public School Code of 1949.

3 * * *

4 "Habitually truant." As defined under section 1333(b) (5) of
5 the act of March 10, 1949 (P.L.30, No.14), known as the Public
6 School Code of 1949.

7 * * *

8 Section 2. Section 1503(b) is amended and subsection (a) is
9 amended by adding a paragraph to read:

10 § 1503. Persons ineligible for licensing; license issuance to
11 minors; junior driver's license.

12 (a) Persons ineligible for licensing.--The department shall
13 not issue a driver's license to, or renew the driver's license
14 of, any person:

15 * * *

16 (10) Who is deemed to be habitually truant by an
17 attendance officer.

18 (b) License issuance to minors.--The department shall issue
19 a driver's license to a person 17 years of age who:

20 (1) has successfully completed a driver's training
21 course approved by the department; [and]

22 (1.1) has received certification from an attendance
23 officer of the school in which the person is a student that
24 the person is not habitually truant. If at any time the
25 person becomes habitually truant, the attendance officer
26 shall notify the department in writing that the person is
27 habitually truant. The department shall immediately suspend
28 the driver's license or learner's permit for the length of
29 time provided under this title; and

30 (2) for a period of 12 months after passing the

examination under section 1505(e) (relating to learners' permits) and receiving a junior driver's license:

(i) has not been involved in an accident reportable under section 3746(a) (relating to immediate notice of accident to police department) for which they are partially or fully responsible in the opinion of the department; or

(ii) has not been convicted of any violation of this title.

* * *

Section 3. Section 1505(e) of Title 75 is amended to read:
§ 1505. Learners' permits.

* * *

(e) Authorization to test for driver's license and junior driver's license.--A person with a learner's permit is authorized to take the examination for a regular or junior driver's license for the class of vehicle for which a permit is held. Before a person under the age of 18 years may take the examination for a junior driver's license, including a Class M license to operate a motorcycle, the minor must:

(1) Have held a learner's permit for that class of vehicle for a period of six months.

(1.1) Present to the department a certification from an attendance officer of the school in which the person is a student that the person is not habitually truant. If at any time the person becomes habitually truant, the attendance officer shall notify the department in writing that the person is habitually truant. The department shall immediately suspend the driver's license or learner's permit for the length of time provided under this title.

1 (2) Present to the department a certification form
2 signed by the father, mother, guardian, person in loco
3 parentis or spouse of a married minor stating that the minor
4 applicant has:

5 (i) completed 65 hours of practical driving
6 experience accompanied as required under subsection (b);
7 and

8 (ii) except for a Class M license to operate a
9 motorcycle, the 65 hours included no less than ten hours
10 of nighttime driving and five hours of inclement weather
11 driving.

12 (3) Have the certification form completed when the minor
13 is ready for the licensing examination. The certification
14 form shall be developed by the department and will be
15 provided by the department when the original application for
16 a learner's permit is processed. The department will make
17 this form readily available through the mail or electronic
18 means.

19 (4) For a Class M license to operate a motorcycle,
20 present evidence of successful completion of the department-
21 approved motorcycle safety course.

22 * * *

23 Section 4. Sections 1515, 1532 and 1543 of Title 75 are
24 amended by adding subsections to read:

25 § 1515. Notice of change of name or address.

26 * * *

27 (a.1) Drivers of compulsory school age.--Any driver of
28 compulsory school age who moves from the address named in the
29 application or on the driver's license shall, within 30 days of
30 moving, notify the department of the old and new addresses and

1 the old and new school districts and submit an updated
2 certification signed by the attendance officer of the old and
3 new school districts stating that the driver is not habitually
4 truant.

5 * * *

6 § 1532. Suspension of operating privilege.

7 * * *

8 (e) Persons who are habitually truant.--The department shall
9 suspend the operating privilege of any person upon receiving
10 notification from an attendance officer of the school which the
11 person attends that the person is habitually truant from school.
12 The department shall immediately suspend the driver's license or
13 learner's permit until the person attains 21 years of age, is
14 able to provide a certification from the attendance officer that
15 the person is no longer habitually truant, graduates from high
16 school, legally withdraws from school, earns a general
17 educational development diploma or joins the military.

18 § 1543. Driving while operating privilege is suspended or
19 revoked.

20 * * *

21 (e) Reinstatement relating to habitually truant drivers.--

22 (1) Any driver's license that is suspended or revoked
23 under this chapter as a result of habitual truancy shall be
24 reinstated upon:

25 (i) The driver attaining 21 years of age, graduating
26 from high school, legally withdrawing from school,
27 earning a general educational development diploma or
28 joining the military.

29 (ii) Payment of an administrative fee of \$100 to the
30 department.

1 (2) Where a driver's license is suspended or revoked
2 under this chapter as a result of habitual truancy and an
3 additional suspension or revocation has been imposed on the
4 driver under subsection (c), the department shall reinstate
5 the license, regardless of any additional period of
6 suspension or revocation imposed under section 1544, upon:

7 (i) The driver graduating from high school, earning
8 a general educational development diploma or joining the
9 military.

10 (ii) Payment of an administrative fee of \$100 to the
11 department.

12 Section 5. This act shall take effect in 60 days.