

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 988 Session of  
1997

INTRODUCED BY TRELLO, OLASZ, DeLUCA, TIGUE, STABACK, LAUGHLIN,  
LUCYK, GODSHALL, MELIO, RAMOS, HENNESSEY, TRAVAGLIO, PESCI,  
BELFANTI, LEH, SHANER, BOSCOLA, GIGLIOTTI, STEELMAN AND  
COLAFELLA, MARCH 19, 1997

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 19, 1997

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for occupational limited  
3 licenses.

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

6 Section 1. Section 1553(b)(1) and (3) and (d)(6), (7) and  
7 (8) of Title 75 of the Pennsylvania Consolidated Statutes, are  
8 amended to read:

9 § 1553. Occupational limited license.

10 \* \* \*

11 (b) Petition.--

12 (1) The applicant for an occupational limited license  
13 must file a petition with the department, by certified mail,  
14 setting forth in detail the need for operating a motor  
15 vehicle. The petition shall be on a form prescribed by the  
16 department and shall identify the specific motor vehicle or  
17 vehicles the petitioner seeks permission to operate. The

petition shall include an explanation as to why the operation of a motor vehicle is essential to the petitioner's occupation, work, trade or study. The petition shall identify the petitioner's employer and shall include proof of financial responsibility covering all vehicles which the petitioner requests to be allowed to operate. If the applicant's operating privileges have been suspended under section 1532(b)(3) (relating to revocation or suspension of operating privilege) or have been suspended pursuant to Accelerated Rehabilitative Disposition for a violation of section 3731 (relating to driving under influence of alcohol or controlled substance), the petition must state that the applicant has completed a drug or alcohol rehabilitation program. The department may require additional information as well as additional evidence to verify the information contained in the petition.

\* \* \*

(3) Consistent with the provisions of this section, including the department's approval of the drug or alcohol rehabilitation program under paragraph (1), the department shall issue an occupational limited license to the applicant within 20 days of receipt of the petition.

\* \* \*

(d) Unauthorized issuance.--The department shall prohibit issuance of an occupational limited license to:

\* \* \*

[(6) Any person who has been adjudicated delinquent or convicted of driving under the influence of alcohol or controlled substance unless the suspension or revocation imposed for that conviction has been fully served.

1           (7) Any person whose operating privilege has been  
2       suspended for refusal to submit to chemical testing to  
3       determine the amount of alcohol or controlled substance  
4       unless that suspension has been fully served.

5           (8) Any person who has been granted a consent decree or  
6       Accelerated Rehabilitative Disposition for driving under the  
7       influence of alcohol or controlled substance and whose  
8       license has been suspended by the department unless the  
9       suspension imposed has been fully served.]

10           \* \* \*

11       Section 2. The amendment of 75 Pa.C.S. § 1553(b)(1) and (3)  
12   and (d)(6), (7) and (8) shall apply to petitions filed on or  
13   after the effective date of this act, regardless of the date of  
14   suspension.

15       Section 3. This act shall take effect in 60 days.