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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 990

Session of  
1987

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INTRODUCED BY RYBAK, TELEK, MORRIS, BOYES, PRESTON, KOSINSKI,  
WOGAN, PETRARCA, GRUPPO, MERRY, JOHNSON, McHALE, COLAFELLA,  
CARN, DOMBROWSKI, TRELLO, ANGSTADT, TIGUE, FARGO, JADLOWIEC,  
HALUSKA, REBER, STABACK, STEVENS, NAHILL, KENNEY, McCALL,  
CIVERA, GANNON, DeLUCA, BELFANTI, WIGGINS, RAYMOND, PETRONE,  
MAIALE, HOWLETT, SEMMEL, FLICK, SALOOM, GODSHALL, CORNELL,  
TRUMAN, SERAFINI, GAMBLE, FOX, LINTON AND CLARK, APRIL 7,  
1987

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REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 7, 1987

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for points and approved driver  
3 improvement schools.

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

6 Section 1. Section 1538 of Title 75 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 1538. School, examination or hearing on accumulation of  
9 points or excessive speeding.

10 (a) Initial accumulation of six points.--When any person's  
11 record for the first time shows as many as six points, the  
12 department shall require the person to attend an approved driver  
13 improvement school or undergo a special examination and shall so  
14 notify the person in writing. Upon satisfactory attendance and  
15 completion of the course, three points shall be removed from the

1 person's record or, upon passing the special examination, two  
2 points shall be removed from the person's record. Failure to  
3 attend and satisfactorily complete the requirements of driver  
4 improvement school shall result in the suspension of such  
5 person's operating privilege for 60 days. Failure to pass the  
6 examination shall result in the suspension of the operating  
7 privilege until the examination has been satisfactorily  
8 completed.

9 (b) Second accumulation of six points.--

10 (1) When any person's record has been reduced below six  
11 points and for the second time shows as many as six points,  
12 the department shall require the person to attend a  
13 departmental hearing. The hearing examiner may recommend one  
14 or more of the following:

15 (i) That the person be required to attend a driver  
16 improvement school.

17 (ii) That the person undergo an examination as  
18 provided for in section 1508 (relating to examination of  
19 applicant for driver's license).

20 (iii) That the person's driver's license be  
21 suspended for a period not exceeding 15 days.

22 (2) The department may effect or modify the  
23 recommendations of the hearing examiner but may not impose  
24 any sanction not recommended by the hearing examiner.

25 (3) Upon completion of the sanction or sanctions imposed  
26 by the department, two points shall be removed from the  
27 person's record unless the sanction imposed requires the  
28 attendance at and completion of a course at an approved  
29 driver improvement school in which case three points shall be  
30 removed from the person's record.

1           (4) Failure to attend the hearing or to attend and  
2           satisfactorily complete the requirements of a driver  
3           improvement school shall result in the suspension of such  
4           person's operating privilege for 60 days. Failure to pass an  
5           examination shall result in the suspension of such person's  
6           operating privilege until the examination has been  
7           satisfactorily completed.

8           (c) Subsequent accumulations of six points.--When any  
9           person's record has been reduced below six points and for the  
10          third or subsequent time shows as many as six points, the  
11          department shall require the driver to attend a departmental  
12          hearing to determine whether the person's operating privilege  
13          should be suspended for a period not to exceed 30 days. Failure  
14          to attend the hearing or to comply with the requirements of the  
15          findings of the department shall result in the suspension of the  
16          operating privilege until the person has complied.

17          (d) Conviction for excessive speeding.--

18                 (1) When any person is convicted of driving 31 miles per  
19                 hour or more in excess of the speed limit, the department  
20                 shall require the person to attend a departmental hearing.  
21                 The hearing examiner may recommend one or more of the  
22                 following:

23                         (i) That the person be required to attend a driver  
24                         improvement school.

25                         (ii) That the person undergo an examination as  
26                         provided for in section 1508.

27                         (iii) That the person have his driver's license  
28                         suspended for a period not exceeding 15 days.

29                 (2) The department shall effect at least one of the  
30                 sanctions but may not increase any suspension beyond 15 days.

1           (3) Failure to attend the hearing or to attend and  
2           satisfactorily complete the requirements of a driver  
3           improvement school shall result in the suspension of such  
4           person's operating privilege for 60 days. Failure to pass an  
5           examination shall result in the suspension of such person's  
6           operating privilege until the examination has been  
7           satisfactorily completed.

8           (e) Approved driver training schools.--The approved driver  
9           training schools shall be administered by chartered and  
10           accredited chapters of the National Safety Council or accredited  
11           Pennsylvania AAA Motor Clubs and shall be offered in each of the  
12           counties and be available to all residents of this Commonwealth.  
13           The classroom and field courses offered by the schools shall be  
14           approved by the department. A fee, the maximum of which is to be  
15           established by the department, shall be charged each person  
16           attending the course. Ten percent of the fee shall be returned  
17           to the department to be used exclusively for safety programs.

18           Section 2. This act shall take effect in 60 days.