

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2787 Session of
1992

INTRODUCED BY MAYERNIK, KOSINSKI, DALEY, BILLOW, SALOOM,
MICOZZIE, FAJT, MARKOSEK, NAILOR, GEIST, HARPER, CLARK,
ARMSTRONG, SAURMAN, PHILLIPS, JOHNSON, PETRONE, KING, NOYE
AND VEON, JUNE 1, 1992

REFERRED TO COMMITTEE ON TRANSPORTATION, JUNE 1, 1992

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for the period of revocation or
3 suspension of operating privilege and for requirements for
4 driving under influence offenders.

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

7 Section 1. Sections 1541(d) and 1548(f) of Title 75 of the
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 1541. Period of revocation or suspension of operating
10 privilege.

11 * * *

12 (d) Continued suspension of operating privilege.--A
13 defendant [ordered by the court under section 1548 (relating to
14 requirements for driving under influence offenders), as the
15 result of a conviction or Accelerated Rehabilitative Disposition
16 of] who is convicted of or who has accepted Accelerated
17 Rehabilitative Disposition for a violation of section 3731
18 (relating to driving under influence of alcohol or controlled

1 substance)[, to attend a treatment program for alcohol or drug
2 addiction] must successfully complete all requirements of [the]
3 a treatment program for alcohol or drug addiction, if any,
4 ordered by the court and must pay all court-imposed fines,
5 additional fines and costs before the defendant's operating
6 privilege may be restored. Successful completion of a treatment
7 program includes the payment of all [court-imposed fines and
8 costs, as well as] fees to be paid to the treatment program by
9 the defendant. If a defendant fails to successfully complete the
10 requirements of a treatment program and to pay all court-imposed
11 fines, additional fines and costs, the suspension shall remain
12 in effect until the defendant completes the program, pays all
13 court-imposed fines, additional fines and costs and is otherwise
14 eligible for restoration of his operating privilege. The
15 treatment agency shall immediately notify the court of
16 successful completion of the treatment program. The final
17 decision as to whether a defendant has successfully completed
18 the treatment program and paid all court-imposed fines,
19 additional fines and costs rests with the court.

20 § 1548. Requirements for driving under influence offenders.

21 * * *

22 (f) [Court-ordered intervention or treatment] Completion of
23 program and payment of fines, additional fines and costs.--A
24 record shall be submitted to the department as to whether the
25 court did or did not order a defendant to attend a program of
26 supervised individual or group counseling treatment or
27 supervised inpatient or outpatient treatment. If the court
28 orders treatment, a report shall be forwarded to the department
29 as to whether the defendant successfully completed the program.
30 If a defendant fails to successfully complete a program of

1 treatment as ordered by the court and to pay all court-imposed
2 finer, additional fines and costs, the suspension shall remain
3 in effect until the department is notified by the court that the
4 defendant has successfully completed treatment, paid all court-
5 imposed fines, additional fines and costs and [the defendant] is
6 otherwise eligible for restoration of his operating privilege.
7 In order to implement the recordkeeping requirements of this
8 section, the department and the court shall work together to
9 exchange pertinent information about a defendant's case,
10 including attendance and completion of treatment or failure to
11 complete treatment and payment or nonpayment of court-imposed
12 finer, additional fines and costs.

13 Section 2. The amendment of 75 Pa.C.S. §§ 1541(d) and
14 1548(f) shall apply to persons whose operating privileges are
15 suspended on or after the effective date of this act.

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