

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

No. 773 Session of  
1995

INTRODUCED BY TRELLO, ROBERTS, LAUGHLIN, TIGUE, MICOZZIE,  
GIGLIOTTI, HENNESSEY, MERRY, DEMPSEY, COLAFELLA,  
D. R. WRIGHT, STABACK, THOMAS, SURRA, COLAIZZO, GODSHALL,  
WOZNIAK, BELFANTI AND READSHAW, FEBRUARY 14, 1995

REFERRED TO COMMITTEE ON TRANSPORTATION, FEBRUARY 14, 1995

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,  
8 amended December 12, 1994 (P.L. , No.143), are amended to  
9 read:

10 § 1553. Occupational limited license.

11 \* \* \*

12 (b) Petition.--

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

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

18 \* \* \*

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

24 \* \* \*

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

27 \* \* \*

28 [(6) Any person who has been adjudicated delinquent or  
29 convicted of driving under the influence of alcohol or  
30 controlled substance unless the suspension or revocation

1 imposed for that conviction has been fully served.

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

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

11 \* \* \*

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

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