

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2666 Session of
2002

INTRODUCED BY ROSS, GEIST, BROOKS, CURRY, FRANKEL, HORSEY,
SCHRODER, STEELMAN, E. Z. TAYLOR, J. TAYLOR, WATSON AND
M. WRIGHT, MAY 30, 2002

REFERRED TO COMMITTEE ON TRANSPORTATION, MAY 30, 2002

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for careless driving.

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

5 Section 1. Section 3714 of Title 75 of the Pennsylvania
6 Consolidated Statutes is amended to read:

7 § 3714. Careless driving.

8 (a) General rule.--Any person who drives a vehicle in
9 careless disregard for the safety of persons or property is
10 guilty of careless driving, a summary offense.

11 (b) Additional penalty for distracted driver.--Any person
12 who violates subsection (a) and at the time of the violation is
13 distracted by the use of any electronic, electrical, mechanical,
14 personal grooming device, food, drink, book or printed material,
15 shall, in addition to any other penalty imposed, upon
16 conviction, be sentenced to pay a fine of \$50. Distractions may
17 include, but are not limited to, radios, recording and playback

devices, telephonic devices and citizens band radios,
televisions, computers and other such devices. No person shall
be convicted under this subsection unless the person is also
convicted under subsection (a) for a violation which occurred at
the same time. No costs as described in 42 Pa.C.S. § 1725.1
(relating to costs) shall be imposed for a conviction under this
subsection. Conviction under this subsection shall not
constitute a moving violation.

(c) Civil actions.--In no event shall a violation or alleged
violation under subsection (b) be used as evidence in a trial of
any civil action, nor shall any jury in a civil action be
instructed that any conduct did constitute or could be
interpreted by them to constitute a violation under subsection
(b), nor shall a conviction under subsection (b) be considered
as contributory negligence, nor shall a violation under
subsection (b) be admissible as evidence in the trial of any
civil action, nor shall this section impose any legal obligation
upon or impute any civil liability whatsoever to an owner,
employer, manufacturer, dealer or person engaged in the business
of renting or leasing vehicles to the public to inform the
public about such distractions.

(d) Criminal proceedings.--Evidence of a violation under
subsection (b) is not admissible as evidence in a criminal
proceeding except in a proceeding for a violation of subsection
(b). No criminal proceeding for the crime of homicide by vehicle
shall be brought on the basis of a violation under subsection
(b).

(e) Insurance.--An insurer may not charge an insured who has
been convicted under subsection (b) a higher premium for a
policy of insurance in whole or in part by reason of that

1 conviction.

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