

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 714 Session of  
2015

INTRODUCED BY ROSS, McNEILL, WATSON, STEPHENS, O'BRIEN, HARPER,  
READSHAW, HICKERNELL, HARHART, SCHLOSSBERG, KAUFFMAN,  
D. COSTA, FARINA, CUTLER, DeLUCA, MENTZER, MURT AND GIBBONS,  
MARCH 4, 2015

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 4, 2015

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, in miscellaneous offenses relating to operation of  
3 vehicles, further providing for the offense of careless  
4 driving; establishing the Driver Distraction Awareness Fund;  
5 and providing for additional duties of the Department of  
6 Transportation.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

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

11 § 3714. Careless driving.

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

15 (b) Unintentional death.--If the person who violates this  
16 section unintentionally causes the death of another person as a  
17 result of the violation, the person shall, upon conviction, be  
18 sentenced to pay a fine of \$500.

19 (c) Serious bodily injury.--If the person who violates this

1 section unintentionally causes the serious bodily injury of  
2 another person as a result of the violation, the person shall,  
3 upon conviction, be sentenced to pay a fine of \$250.

4 (c.1) Additional fine for distracted driver.--

5 (1) Any person who violates this section and at the time  
6 of the violation is distracted by the use of any of the  
7 following, including, but not limited to:

8 (i) an interactive wireless communications device;

9 (ii) an electronic, electrical or mechanical device;

10 (iii) a personal grooming device;

11 (iv) food;

12 (v) drink; or

13 (vi) any printed material,

14 shall, in addition to any other penalty imposed, be sentenced  
15 to pay a fine of \$50.

16 (2) The provisions of this subsection shall not apply to  
17 any person unless the person is convicted under subsection  
18 (a) for a violation which occurred at the same time. No costs  
19 as described under 42 Pa.C.S. § 1725.1 (relating to costs)  
20 shall be imposed on account of any increased fine under this  
21 subsection. Application of this subsection shall not  
22 constitute a moving violation.

23 (3) Notwithstanding any other provision of law to the  
24 contrary, fines collected under this subsection shall be paid  
25 to the Commonwealth for deposit into the Driver Distraction  
26 Awareness Fund.

27 (c.2) Report.--The department shall submit to the General  
28 Assembly a report on the effects of subsection (c.1) by August  
29 31, 2016.

30 (d) Definition.--As used in this section, the term

1 "distracted" means having a person's attention diverted from  
2 operating a vehicle by any task or item, including, but not  
3 limited to, a task or item listed under subsection (c.1)(1).

4 Section 2. Title 75 is amended by adding a section to read:

5 § 3714.1. Driver Distraction Awareness Fund.

6 (a) Fund established.--The Driver Distraction Awareness Fund  
7 is established in the Motor License Fund as a special restricted  
8 receipts account. Moneys in the fund are appropriated to the  
9 department for the purposes of this section. This fund shall  
10 consist of all fines deposited pursuant to section 3714(c.1)  
11 (relating to careless driving), all Federal funds granted for  
12 that use and any moneys donated to the fund. All such funds  
13 shall be used solely for the purpose of the educational program  
14 established in subsection (b).

15 (b) Educational program.--The department shall initiate an  
16 educational program to begin immediately to alert the public to  
17 the provisions of section 3714(c.1) and the requirements and  
18 penalties specified in section 3714(c.1). The program shall also  
19 encourage motorists to eliminate distractions in the vehicle as  
20 a means of reducing the risk of harm to themselves as well as to  
21 others.

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