

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1514 Session of 1993

INTRODUCED BY OLASZ, PETRARCA, MICOZZIE, BOYES, MARKOSEK, GIGLIOTTI, MELIO, MERRY, FARGO, PESCI, CLARK, J. TAYLOR, NAILOR, COLAFELLA, DeLUCA, PRESTON, LEDERER, BELFANTI, KASUNIC, BATTISTO AND DERMODY, MAY 3, 1993

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES, NOVEMBER 23, 1993

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for the suspension of operating
3 privileges for failure to respond to a citation AND FOR LACK <—
4 OF FINANCIAL RESPONSIBILITY.

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

7 Section 1. ~~Section 1533~~ SECTIONS 1533 AND 1786(D) of Title <—
8 75 of the Pennsylvania Consolidated Statutes ~~is~~ ARE amended to <—
9 read:

10 § 1533. Suspension of operating privilege for failure to
11 respond to citation.

12 (a) Violations within Commonwealth.--The department shall
13 suspend the operating privilege of any person who has failed to
14 respond to a citation or summons to appear before an issuing
15 authority or a court of competent jurisdiction of this
16 Commonwealth [or of any state] for any violation of this title,
17 other than parking, or who has failed to pay any fine or costs

1 imposed by an issuing authority or such courts for any violation  
2 of this title, other than parking, upon being duly notified [in  
3 accordance with general rules] by an issuing authority or a  
4 court of this Commonwealth. [There shall be 15 days to respond  
5 to such notification before suspension is imposed. The  
6 suspension shall be for an indefinite period until such person  
7 shall respond and pay any fines and penalties imposed. Such  
8 suspension shall be in addition to the requirement of  
9 withholding renewal or reinstatement of a violator's driver's  
10 license as prescribed in section 1503(c) (relating to persons  
11 ineligible for licensing).]

12 (b) Violations outside Commonwealth.--The department shall  
13 suspend the operating privilege of any person who has failed to  
14 respond to a citation, summons or similar writ to appear before  
15 a court of competent jurisdiction of the United States or any  
16 state which has entered into an enforcement agreement with the  
17 department, as authorized by section 6146 (relating to  
18 enforcement agreements), for any violation of the motor vehicle  
19 laws of such state, other than parking, or who has failed to pay  
20 any fine or costs imposed by such court, upon being duly  
21 notified in accordance with the laws of such jurisdiction in  
22 which the violation occurred. A person who provides proof,  
23 satisfactory to the department, that the full amount of the fine  
24 and costs has been forwarded to the court shall not be regarded  
25 as having failed to respond for the purposes of this subsection.

26 (c) Time for responding to notice.--At least 15 days before  
27 an issuing authority or court notifies the department to impose  
28 a suspension pursuant to subsection (a), the issuing authority  
29 or court shall notify the person in writing of the requirement  
30 to respond to the citation and pay all fines and penalties

1 imposed by the issuing authority or court.

2 (d) Period of suspension.--The suspension shall continue  
3 until such person shall respond to the citation, summons or  
4 writ, as the case may be, and pay all fines and penalties  
5 imposed or enter into an agreement to make installment payments  
6 for the fines and penalties imposed provided that the suspension  
7 may be reimposed by the department if the defendant fails to  
8 make regular installment payments.

9 (e) Remedy cumulative.--A suspension under this section  
10 shall be in addition to the requirement of withholding renewal  
11 or reinstatement of a violator's driver's license as prescribed  
12 in section 1503(a) (relating to persons ineligible for  
13 licensing).

14 (f) Admissibility of documents.--A copy of a document issued  
15 by a court or issuing authority of this Commonwealth or by an  
16 official of another state shall be admissible for the purpose of  
17 proving a violation of this section.

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

19 § 1786. REQUIRED FINANCIAL RESPONSIBILITY. <—

20 \* \* \*

21 (D) SUSPENSION OF REGISTRATION AND OPERATING PRIVILEGE.--THE  
22 DEPARTMENT OF TRANSPORTATION SHALL SUSPEND THE REGISTRATION OF A  
23 VEHICLE FOR A PERIOD OF THREE MONTHS IF IT DETERMINES THE  
24 REQUIRED FINANCIAL RESPONSIBILITY WAS NOT SECURED AS REQUIRED BY  
25 THIS CHAPTER AND SHALL SUSPEND THE OPERATING PRIVILEGE OF THE  
26 OWNER OR REGISTRANT FOR A PERIOD OF THREE MONTHS IF THE  
27 DEPARTMENT DETERMINES THAT THE OWNER OR REGISTRANT HAS OPERATED  
28 OR PERMITTED THE OPERATION OF THE VEHICLE WITHOUT THE REQUIRED  
29 FINANCIAL RESPONSIBILITY. THE OPERATING PRIVILEGE SHALL NOT BE  
30 RESTORED UNTIL THE RESTORATION FEE FOR OPERATING PRIVILEGE

1 PROVIDED BY SECTION 1960 (RELATING TO REINSTATEMENT OF OPERATING  
2 PRIVILEGE OR VEHICLE REGISTRATION) IS PAID. WHENEVER THE  
3 DEPARTMENT REVOKES OR SUSPENDS THE REGISTRATION OF ANY VEHICLE  
4 UNDER THIS CHAPTER, THE DEPARTMENT SHALL NOT RESTORE THE  
5 REGISTRATION UNTIL THE VEHICLE OWNER FURNISHES PROOF OF  
6 FINANCIAL RESPONSIBILITY IN A MANNER DETERMINED BY THE  
7 DEPARTMENT AND SUBMITS AN APPLICATION FOR REGISTRATION TO THE  
8 DEPARTMENT, ACCOMPANIED BY THE FEE FOR RESTORATION OF  
9 REGISTRATION PROVIDED BY SECTION 1960. THIS SUBSECTION SHALL NOT  
10 APPLY IN THE FOLLOWING CIRCUMSTANCES:

11 (1) THE OWNER OR REGISTRANT PROVES TO THE SATISFACTION  
12 OF THE DEPARTMENT THAT THE LAPSE IN FINANCIAL RESPONSIBILITY  
13 COVERAGE WAS FOR A PERIOD OF LESS THAN 31 DAYS AND THAT THE  
14 OWNER OR REGISTRANT DID NOT OPERATE OR PERMIT THE OPERATION  
15 OF THE VEHICLE DURING THE PERIOD OF LAPSE IN FINANCIAL  
16 RESPONSIBILITY.

17 (2) THE OWNER OR REGISTRANT IS A MEMBER OF THE ARMED  
18 SERVICES OF THE UNITED STATES, THE OWNER OR REGISTRANT HAS  
19 PREVIOUSLY HAD THE FINANCIAL RESPONSIBILITY REQUIRED BY THIS  
20 CHAPTER, FINANCIAL RESPONSIBILITY HAD LAPSED WHILE THE OWNER  
21 OR REGISTRANT WAS ON TEMPORARY, EMERGENCY DUTY AND THE  
22 VEHICLE WAS NOT OPERATED DURING THE PERIOD OF LAPSE IN  
23 FINANCIAL RESPONSIBILITY. THE EXEMPTION GRANTED BY THIS  
24 PARAGRAPH SHALL CONTINUE FOR 30 DAYS AFTER THE OWNER OR  
25 REGISTRANT RETURNS FROM DUTY AS LONG AS THE VEHICLE IS NOT  
26 OPERATED UNTIL THE REQUIRED FINANCIAL RESPONSIBILITY HAS BEEN  
27 ESTABLISHED.

28 \* \* \*

29 SECTION 2. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

30 (1) THE AMENDMENT OF 75 PA.C.S. § 1786(D) SHALL TAKE

1 EFFECT IMMEDIATELY.

2 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 60  
3 DAYS.