
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 140 Session of
1995

INTRODUCED BY HOLL, JANUARY 17, 1995

SENATE AMENDMENTS TO HOUSE AMENDMENTS, MARCH 11, 1996

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, ~~providing for vehicle registration periods of less~~ <—
3 ~~than one year; and~~ further providing for accidents involving
4 death or personal injury.

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

7 ~~Section 1. Section 1307 of Title 75 of the Pennsylvania~~ <—
8 ~~Consolidated Statutes is amended by adding a subsection to read:~~
9 ~~§ 1307. Period of registration.~~

10 * * *

11 ~~(a.1) Seasonal registration. Upon application on a form~~
12 ~~prescribed by the department, the owner or lessee of a passenger~~
13 ~~car, motorcycle, truck or farm vehicle which does not have a~~
14 ~~gross vehicle weight rating of more than 9,000 pounds may~~
15 ~~register the vehicle with the department for a period of~~
16 ~~successive months of less than one year. The applicant shall~~
17 ~~specify the period of months during which the vehicle shall be~~
18 ~~registered. Except when the department initially converts a~~

~~currently valid annual registration to a seasonal registration,
the annual fee prescribed for the vehicle by Chapter 19
(relating to fees) shall be paid in full by the applicant
regardless of the number of months chosen for registration by
the applicant. Upon receipt of the appropriate fee and the
properly completed form, including all information required by
this chapter, the department shall issue a seasonal registration
that shall expire on the last day of the expiration month chosen
by the registrant.~~

~~* * *~~

~~Section 2. Section 1786(g)(2) of Title 75 is amended and
subsection (d) is amended by adding a paragraph to read:
§ 1786. Required financial responsibility.~~

~~* * *~~

~~(d) Suspension of registration and operating privilege. The
Department of Transportation shall suspend the registration of a
vehicle for a period of three months if it determines the
required financial responsibility was not secured as required by
this chapter and shall suspend the operating privilege of the
owner or registrant for a period of three months if the
department determines that the owner or registrant has operated
or permitted the operation of the vehicle without the required
financial responsibility. The operating privilege shall not be
restored until the restoration fee for operating privilege
provided by section 1960 (relating to reinstatement of operating
privilege or vehicle registration) is paid. Whenever the
department revokes or suspends the registration of any vehicle
under this chapter, the department shall not restore the
registration until the vehicle owner furnishes proof of
financial responsibility in a manner determined by the~~

department and submits an application for registration to the department, accompanied by the fee for restoration of registration provided by section 1960. This subsection shall not apply in the following circumstances:

* * *

~~(3) Insurance coverage which has terminated or financial responsibility which has lapsed simultaneously with, or subsequent to, expiration of a seasonal registration, as provided in section 1307(a.1) (relating to period of registration).~~

* * *

~~(g) Defenses.~~

* * *

~~(2) No person shall be penalized for maintaining a registered motor vehicle without financial responsibility under subsection (d) if, at the time insurance coverage terminated or financial responsibility lapsed, the registration plate and card were voluntarily surrendered to the department, a full agent designated by the department to accept voluntarily surrendered registration plates and cards pursuant to regulations promulgated by the department or a decentralized service agent appointed by the department. If a seasonal registration, as provided in section 1307(a.1), has been issued for the vehicle, return of the registration plate and card shall be required only if the insurance coverage terminates or financial responsibility lapses prior to the expiration of the seasonal registration. The department, a full agent or the decentralized service agent, as the case may be, shall issue a receipt showing the date that the registration plate and card were received. The designated~~

1 ~~full agent or the decentralized service agent shall return~~
2 ~~the registration plate and card to the department accompanied~~
3 ~~by a copy of the receipt.~~

4 * * *

5 ~~Section 3. Section 3742(b), (c) and (d) of Title 75 are~~
6 ~~amended to read:~~

7 SECTION 1. SECTION 3742(B), (C) AND (D) OF TITLE 75 OF THE
8 PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ:

9 § 3742. Accidents involving death or personal injury.

10 * * *

11 (b) Penalties.--

12 (1) Except as otherwise provided in this section, any
13 person violating this section commits a misdemeanor of the
14 [third] first degree.

15 (2) If the victim suffers serious bodily injury [or
16 death], any person violating subsection (a) commits a
17 [misdemeanor of the first degree.] felony of the third degree
18 and the sentencing court shall order the person to serve a
19 minimum term of imprisonment of not less than 90 days and a
20 mandatory minimum fine of \$1,000, notwithstanding any other
21 provision of law.

22 (3) [If the violation of subsection (a) materially
23 contributes to any serious bodily injury suffered by the
24 victim, any person violating subsection (a) commits a
25 misdemeanor of the first degree and shall, upon conviction,
26 be sentenced to pay a fine of not more than \$10,000 and to
27 imprisonment for not less than 90 days nor more than five
28 years.] If the victim dies, any person violating subsection
29 (a) commits a felony of the third degree and the sentencing
30 court shall order the person to serve a minimum term of

1 imprisonment of not less than one year and a mandatory
2 minimum fine of \$2,500, notwithstanding any other provision
3 of law.

4 [(4) If the violation of subsection (a) materially
5 contributes to the death of the victim, any person violating
6 subsection (a) commits a felony of the third degree and
7 shall, upon conviction, be sentenced to pay a fine of not
8 more than \$15,000 and to imprisonment for not less than one
9 year nor more than seven years.]

10 (c) Authority of sentencing court.--There shall be no
11 authority in any court to impose on an offender to which this
12 section is applicable any lesser sentence than provided for in
13 subsection [(b)(3) or (4)] (b)(2) or (3) or to place such
14 offender on probation or to suspend sentence. Sentencing
15 guidelines promulgated by the Pennsylvania Commission on
16 Sentencing shall not supersede the mandatory sentences provided
17 in this section.

18 (d) Definitions.--As used in this section, the term "serious
19 bodily injury" means any bodily injury which creates a
20 substantial risk of death or which causes serious, permanent
21 disfigurement or protracted loss or impairment of the function
22 of any bodily member or organ.

23 Section 4 2. This act shall take effect in 60 days.

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