

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2923 Session of
2004

INTRODUCED BY MELIO, ARMSTRONG, BOYD, DONATUCCI, GOODMAN, LEWIS,
BEBKO-JONES, CAWLEY, GABIG, GRUCELA AND YOUNGBLOOD,
OCTOBER 19, 2004

REFERRED TO COMMITTEE ON TRANSPORTATION, OCTOBER 19, 2004

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for suspension of operating
3 privilege; defining the offense of aggressive driving; and
4 imposing penalties.

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

7 Section 1. Section 1532 of Title 75 of the Pennsylvania
8 Consolidated Statutes is amended by adding a subsection to read:
9 § 1532. Suspension of operating privilege.

10 * * *

11 (e) Aggressive driving.--

12 (1) The department shall suspend the operating privilege
13 of any driver for 30 days upon receiving a certified record
14 of the driver's conviction of or an adjudication of
15 delinquency based on any offense under section 3737(a)(1)
16 (relating to aggressive driving).

17 (2) The department shall suspend the operating privilege
18 of any driver for one year upon receiving a certified record

1 of the driver's conviction of:

2 (i) Or an adjudication of delinquency based on any
3 offense under section 3737(a)(2).

4 (ii) A subsequent offense under section 3737(a)(1)
5 if the prior offense occurred within two years of the
6 violation date of the subsequent offense.

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

8 § 3737. Aggressive driving.

9 (a) Offense defined.--A person commits the offense of
10 aggressive driving if the person:

11 (1) Makes audible verbal threats or insults, flashes
12 headlights, uses demeaning gestures or directs any other
13 action at persons driving lawfully, which, in the manner
14 used, would cause a reasonable person to believe that the
15 action was designed to display anger or to intimidate or
16 threaten the person.

17 (2) Drives, operates or halts a vehicle upon a highway
18 or adjacent property involving the commission of two or more
19 violations of the following sections in a single act or
20 series of acts in close proximity to another vehicle:

21 Section 3102 (relating to obedience to authorized persons
22 directing traffic).

23 Section 3111 (relating to obedience to traffic-control
24 devices).

25 Section 3112 (relating to traffic-control signals).

26 Section 3114 (relating to flashing signals).

27 Section 3301 (relating to driving on right side of
28 roadway).

29 Section 3303 (relating to overtaking vehicle on the
30 left).

1 Section 3304 (relating to overtaking vehicle on the
2 right).

3 Section 3305 (relating to limitations on overtaking on
4 the left).

5 Section 3307 (relating to no-passing zones).

6 Section 3310 (relating to following too closely).

7 Section 3323 (relating to stop signs and yield signs).

8 Section 3326 (relating to duty of driver in construction
9 and maintenance areas or on highway safety corridors).

10 Section 3345 (relating to meeting or overtaking school
11 bus).

12 Section 3361 (relating to driving vehicle at safe speed).

13 Section 3362 (relating to maximum speed limits) when the
14 violation is more than ten miles per hour higher than the
15 posted speed limit.

16 Section 3365 (relating to special speed limitations).

17 Section 3367 (relating to racing on highways).

18 Section 3702 (relating to limitations on backing).

19 Section 3703 (relating to driving upon sidewalk).

20 Section 3710 (relating to stopping at intersection or
21 crossing to prevent obstruction).

22 Section 3714 (relating to careless driving).

23 Section 3736 (relating to reckless driving).

24 (b) Penalties.--

25 (1) A first offense under subsection (a)(1) constitutes
26 a misdemeanor of the third degree. A second or subsequent
27 offense under subsection (a)(1) constitutes a misdemeanor of
28 the second degree.

29 (2) A first offense under subsection (a)(2) constitutes
30 a misdemeanor of the third degree. A second or subsequent

1 offense under subsection (a)(2) constitutes a felony of the
2 third degree.

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