

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2157 Session of 2015

INTRODUCED BY MILLARD, V. BROWN, D. COSTA, DeLUCA, ROZZI AND SAYLOR, JUNE 13, 2016

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 28, 2016

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in licensing of drivers, further providing for
3 probationary license.

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

6 Section 1. Section 1554(b), ~~(f)(7)~~ (F)(3), (5) AND (7) and <--
7 (k) of Title 75 of the Pennsylvania Consolidated Statutes are
8 amended to read:

9 § 1554. Probationary license.

10 * * *

11 (b) Petition.--

12 (1) An applicant for a probationary license must file a
13 petition with the department by certified mail setting forth
14 in detail the need for operating a motor vehicle. The
15 petition shall be on a form prescribed by the department and
16 shall identify the specific motor vehicles the petitioner
17 seeks permission to operate. The petition shall include the
18 operator's name, address and operator number and proof of

1 financial responsibility. The department may require
2 additional information as well as verification of the
3 information contained in the petition. All fines, costs and
4 restoration fees must be paid at the time of the petition.

5 (2) [Before] EXCEPT AS PROVIDED IN PARAGRAPH (2.1), <--
6 BEFORE being eligible to petition for a probationary license,
7 a person must have served and earned credit toward serving
8 the following terms of suspension or revocation for offenses
9 enumerated in sections 1532 (relating to suspension of
10 operating privilege), 1539 (relating to suspension of
11 operating privilege on accumulation of points) [and], 1543 <--
12 (relating to driving while operating privilege is suspended
13 or revoked) AND 3804 (RELATING TO PENALTIES): <--

14 (i) A person with one to seven offenses must have
15 earned credit for at least a ~~{three-year}~~ one and one <--
16 half year term of suspension or revocation.

17 (ii) A person with 8 to 14 offenses must have earned
18 credit for at least a ~~{four-year}~~ two year term of <--
19 suspension or revocation.

20 (iii) A person with 15 to 21 offenses must have
21 earned credit for at least a ~~{five-year}~~ two and one half <--
22 year term of suspension or revocation.

23 (iv) A person with 22 or more offenses must have
24 earned credit for at least a ~~{six-year}~~ three year term <--
25 of suspension or revocation.

26 (2.1) A PERSON WHOSE OPERATING PRIVILEGE HAS BEEN <--
27 SUSPENDED FOR A CONVICTION OF SECTION 1543(A), AND THE
28 DEPARTMENT RECORDS SHOW THAT THE SUSPENSION FOR THE
29 CONVICTION OF SECTION 1543(A) OCCURRED ONLY AS A RESULT OF
30 SECTION 1533 (RELATING TO SUSPENSION OF OPERATING PRIVILEGE

1 FOR FAILURE TO RESPOND TO CITATION), 1772 (RELATING TO
2 SUSPENSION FOR NONPAYMENT OF JUDGMENTS), 1774 (RELATING TO
3 PAYMENTS SUFFICIENT TO SATISFY JUDGMENTS), 1775 (RELATING TO
4 INSTALLMENT PAYMENT OF JUDGMENTS) OR 6146 (RELATING TO
5 ENFORCEMENT AGREEMENTS) OR 23 PA.C.S. § 4355 (RELATING TO
6 DENIAL OR SUSPENSION OF LICENSES), IS ELIGIBLE TO PETITION
7 FOR A PROBATIONARY LICENSE IF THAT PERSON HAS SERVED AND
8 EARNED CREDIT TOWARD SERVING THE FOLLOWING TERMS OF
9 SUSPENSION OR REVOCATION:

10 (I) A PERSON WITH ONE TO SEVEN OFFENSES MUST HAVE
11 EARNED CREDIT FOR AT LEAST A ONE AND ONE-HALF YEAR TERM
12 OF SUSPENSION OR REVOCATION.

13 (II) A PERSON WITH 8 TO 14 OFFENSES MUST HAVE EARNED
14 CREDIT FOR AT LEAST A TWO-YEAR TERM OF SUSPENSION OR
15 REVOCATION.

16 (III) A PERSON WITH 15 TO 21 OFFENSES MUST HAVE
17 EARNED CREDIT FOR AT LEAST A TWO AND ONE-HALF YEAR TERM
18 OF SUSPENSION OR REVOCATION.

19 (IV) A PERSON WITH 22 OR MORE OFFENSES MUST HAVE
20 EARNED CREDIT FOR AT LEAST A THREE-YEAR TERM OF
21 SUSPENSION OR REVOCATION.

22 (3) (i) The applicant must prove to the satisfaction of
23 the department that the applicant has not driven a motor
24 vehicle during the minimum period of suspension or
25 revocation.

26 (ii) The applicant's driving history during the
27 minimum period of suspension or revocation shall be
28 sufficient documentation for the department to determine
29 whether the applicant is eligible for a probationary
30 license.

1 * * *

2 (f) Unauthorized issuance.--The department shall not issue a
3 probationary license to:

4 * * *

5 (3) A PERSON WHOSE OPERATING PRIVILEGE IS CURRENTLY <--
6 SUSPENDED UNDER SECTION 1533 [(RELATING TO SUSPENSION OF
7 OPERATING PRIVILEGE FOR FAILURE TO RESPOND TO CITATION)] OR
8 6146 [(RELATING TO ENFORCEMENT AGREEMENTS)].

9 * * *

10 (5) A PERSON AGAINST WHOM THERE IS AN UNSATISFIED
11 JUDGMENT RESULTING FROM THE OPERATION OF A MOTOR VEHICLE,
12 UNTIL THE JUDGMENT HAS BEEN SATISFIED UNDER THE PROVISIONS OF
13 SECTION 1774 [(RELATING TO PAYMENTS SUFFICIENT TO SATISFY
14 JUDGMENTS)] OR AN INSTALLMENT AGREEMENT HAS BEEN ENTERED INTO
15 TO SATISFY THE JUDGMENT AS PERMITTED UNDER SECTION 1772(B)
16 [(RELATING TO SUSPENSION FOR NONPAYMENT OF JUDGMENTS)] OR
17 1775 [(RELATING TO INSTALLMENT PAYMENT OF JUDGMENTS)] AND THE
18 FINANCIAL RESPONSIBILITY OF THE PERSON HAS BEEN ESTABLISHED.

19 * * *

20 (7) A person who [has previously been issued a
21 probationary license.], at the time he applies for a
22 probationary license, has previously been granted such a
23 privilege within the period of five years next preceding such
24 application.

25 * * *

26 (k) Limitation.--A person to whom a probationary license is
27 issued for [six] three consecutive years shall be eligible to
28 apply for a regular driver's license at the fee prescribed by
29 section 1951(a) (relating to driver's license and learner's
30 permit) upon satisfactory completion of the [sixth] third year

1 of the probationary license.

2 Section 2. This act shall take effect in 90 days.