

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1049 Session of 2022

INTRODUCED BY STEFANO, COSTA, BARTOLOTTA, KEARNEY, COLLETT, SCHWANK, TARTAGLIONE, YUDICHAK, KANE, COMMITTA AND CAPPELLETTI, FEBRUARY 3, 2022

SENATOR LANGERHOLC, TRANSPORTATION, AS AMENDED, JUNE 15, 2022

AN ACT

1 Amending ~~Title~~ TITLES 42 (JUDICIARY AND JUDICIAL PROCEDURE) AND <--
2 75 (Vehicles) of the Pennsylvania Consolidated Statutes, IN <--
3 MAGISTERIAL DISTRICT JUDGES, FURTHER PROVIDING FOR
4 ADJUDICATION ALTERNATIVE PROGRAM; in licensing of drivers,
5 further providing for drivers required to be licensed, for
6 suspension of operating privilege, for suspension of
7 operating privilege for failure to respond to citation and
8 for driving while operating privilege is suspended or
9 revoked, ~~establishing the Relief from Administrative- <--
10 Suspension Program and providing for Relief from-
11 Administrative Suspension Program participation requirements;- <--
12 PROVIDING FOR DRIVING WHILE OPERATING PRIVILEGE IS SUSPENDED <--
13 FOR CERTAIN OTHER OFFENSES, FOR RELIEF FROM ADMINISTRATIVE
14 SUSPENSION AND FOR RELIEF FROM ADMINISTRATIVE SUSPENSION
15 PARTICIPATION REQUIREMENTS; in fees, further providing for
16 reinstatement of operating privilege or vehicle registration;
17 and, in penalties and disposition of fines, further providing
18 for inability to pay fine and costs.~~

19 The General Assembly of the Commonwealth of Pennsylvania
20 hereby enacts as follows:

21 ~~Section 1. Section 1501(d) of Title 75 of the Pennsylvania <--
22 Consolidated Statutes is amended and the section is amended by-
23 adding a subsection to read:~~

24 SECTION 1. SECTION 1520 OF TITLE 42 OF THE PENNSYLVANIA <--
25 CONSOLIDATED STATUTES IS AMENDED BY ADDING A SUBSECTION TO READ:

1 § 1520. ADJUDICATION ALTERNATIVE PROGRAM.

2 \* \* \*

3 (E.1) ALTERNATIVE TO TITLE 75 SANCTIONS.---NOTWITHSTANDING  
4 THE PROVISIONS OF SUBSECTION (A), A PERSON WHOSE OPERATING  
5 PRIVILEGE HAS BEEN SUSPENDED UNDER 75 PA.C.S. § 1533(A)  
6 (RELATING TO SUSPENSION OF OPERATING PRIVILEGE FOR FAILURE TO  
7 RESPOND TO CITATION), WHO HAS BEEN CONVICTED OF VIOLATING 75  
8 PA.C.S. § 1543.1(A) (RELATING TO DRIVING WHILE OPERATING  
9 PRIVILEGE IS SUSPENDED FOR CERTAIN OTHER OFFENSES) OR WHO IS  
10 ELIGIBLE FOR RELIEF UNDER 75 PA.C.S. § 1557 (RELATING TO RELIEF  
11 FROM ADMINISTRATIVE SUSPENSION) MAY BE PLACED BY THE  
12 MAGISTERIAL DISTRICT JUDGE IN AN APPROPRIATE PROGRAM UNDER  
13 SUBSECTION (B) IN ACCORDANCE WITH 75 PA.C.S. §§ 1533(D)(1)(III),  
14 1543.1(A)(2)(II) OR 1558(B)(2)(II) (RELATING TO RELIEF FROM  
15 ADMINISTRATIVE SUSPENSION PARTICIPATION REQUIREMENTS). THE  
16 PLACEMENT OF A PERSON UNDER THIS SUBSECTION IN AN APPROPRIATE  
17 PROGRAM UNDER SUBSECTION (B) AS AUTHORIZED BY THE MAGISTERIAL  
18 DISTRICT JUDGE SHALL BE DONE IN ACCORDANCE WITH SUBSECTION (C),  
19 EXCEPT THE MAGISTERIAL DISTRICT JUDGE MAY NOT ALTER THE  
20 CONVICTION FOR A VIOLATION OF 75 PA.C.S. § 1543.1(A) OR RELIEVE  
21 THE PERSON OF THE OBLIGATION TO PAY A FINE ASSOCIATED WITH THE  
22 CONVICTION UPON SUCCESSFUL COMPLETION OF THE PROGRAM UNDER  
23 SUBSECTION (B).

24 SECTION 2. SECTION 1501(D) OF TITLE 75 IS AMENDED AND THE  
25 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

26 § 1501. Drivers required to be licensed.

27 \* \* \*

28 (d) Penalty.--[Any] Except as provided under subsection (e),  
29 any person violating subsection (a) is guilty of a summary  
30 offense and shall, upon conviction, be sentenced to pay a fine

1 of \$200, except that, if the person charged furnishes  
2 satisfactory proof of having held a driver's license valid on  
3 the last day of the preceding driver's license period and no  
4 more than one year has elapsed from the last date for renewal,  
5 the fine shall be \$25. No person charged with violating  
6 subsection (a) or (b) shall be convicted if the person produces  
7 at the office of the issuing authority within 15 days of the  
8 violation:

9 (1) a driver's license valid in this Commonwealth at the  
10 time of the violation; or

11 (2) if the driver's license is lost, stolen, destroyed  
12 or illegible, evidence that the driver was licensed at the  
13 time of the violation.

14 (e) Alternative penalty.--A person who violates this section  
15 may, upon conviction, be sentenced to pay the fine imposed under  
16 section 1543(b.1) (relating to driving while operating privilege <--  
17 is suspended or revoked). 1543.1(A) (RELATING TO DRIVING WHILE <--  
18 OPERATING PRIVILEGE IS SUSPENDED FOR CERTAIN OTHER OFFENSES)  
19 AND, IF APPLICABLE, SUCCESSFULLY COMPLETE A PROGRAM OF COMMUNITY  
20 SERVICE AS SPECIFIED UNDER SECTION 1543.1(A) (2) (II).

21 Section ~~2~~ 3. Sections 1532(b) (2) ~~and~~, 1533(a), (c) and (d) <--  
22 AND 1543(C) of Title 75 are amended to read: <--

23 § 1532. Suspension of operating privilege.

24 \* \* \*

25 (b) Suspension.--

26 \* \* \*

27 (2) The department shall suspend the operating privilege  
28 of any driver for six months upon receiving a certified  
29 record of the driver's conviction of a subsequent offense  
30 under section 1501(a) (relating to drivers required to be

1 licensed) if the prior offense occurred within five years of  
2 the violation date of the subsequent offense[.], unless, in  
3 accordance with 42 Pa.C.S. § 1520 (relating to adjudication  
4 alternative program), the driver enters a program of  
5 community service as approved by the issuing authority or  
6 court in lieu of the suspension under this paragraph. The  
7 department shall impose the suspension of the operating  
8 privilege of the driver if the driver fails to complete a  
9 program of community service as ordered by the issuing  
10 authority or court and, if applicable, ~~order~~ REQUIRE the <--  
11 driver to pay the fee specified under section 1960 (relating  
12 to reinstatement of operating privilege or vehicle  
13 registration).

14 \* \* \*

15 § 1533. Suspension of operating privilege for failure to  
16 respond to citation.

17 (a) Violations within Commonwealth.--The department shall  
18 suspend the operating privilege of any person who [has failed to  
19 respond to a citation or summons to appear before an issuing  
20 authority or a court of competent jurisdiction of this  
21 Commonwealth for any violation of this title, other than  
22 parking, or who has failed to pay any fine, costs or restitution  
23 imposed by an issuing authority or such courts for violation of  
24 this title, other than parking, upon being duly notified by an  
25 issuing authority or a court of this Commonwealth.], upon being  
26 duly notified by an issuing authority or a court of competent  
27 jurisdiction of this Commonwealth, has failed to take any of the  
28 following actions:

29 (1) Respond to a citation or summons to appear before  
30 the issuing authority or court for a violation of this title,

1 other than parking.

2 (2) Pay any fine, costs or restitution imposed by the  
3 issuing authority or court for a violation of this title,  
4 other than parking.

5 (3) Successfully complete a program of community service  
6 as specified under subsection (d)(1)(iii).

7 \* \* \*

8 (c) Time for responding to notice.--At least 15 days before  
9 an issuing authority or court notifies the department to impose  
10 a suspension pursuant to subsection (a), the issuing authority  
11 or court shall notify the person in writing of the requirement  
12 to respond to the citation and pay all fines, restitution and  
13 penalties imposed by the issuing authority or court. The notice  
14 shall include information regarding all of the following:

15 (1) The ability to pay all fines, restitution and  
16 penalties by installment payments.

17 (2) The ability to enter and complete a community  
18 service requirement in lieu of payment of all fines,  
19 restitution and penalties.

20 (d) Period of suspension.--The suspension shall continue  
21 until such person shall [respond to the citation, summons or  
22 writ, as the case may be, and pay all fines, restitution and  
23 penalties imposed or enter into an agreement to make installment  
24 payments for the fines, restitution and penalties imposed  
25 provided that the suspension may be reimposed by the department  
26 if the defendant fails to make regular installment payments and,  
27 if applicable, pay the fee prescribed in section 1960 (relating  
28 to reinstatement of operating privilege or vehicle  
29 registration).] take all of the following actions:

30 (1) Respond to the citation, summons or writing and

1 comply with any of the following requirements:

2 (i) Pay all fines, restitution and penalties imposed  
3 by the issuing authority or court.

4 (ii) Enter into an agreement to make installment  
5 payments for all fines, restitution and penalties imposed  
6 by the issuing authority or court. The department may  
7 reimpose the suspension if the defendant fails to make  
8 regular installment payments.

9 (iii) In accordance with 42 Pa.C.S. § 1520 (relating  
10 to adjudication alternative program), enter into a  
11 program of community service approved by the issuing  
12 authority or court in lieu of complying with the  
13 requirements under subparagraph (i) or (ii). The  
14 department may reimpose the suspension if the defendant  
15 fails to complete a program of community service as  
16 ordered by the issuing authority or court.

17 (2) If applicable, pay the fee specified under section  
18 1960 (relating to reinstatement of operating privilege or  
19 vehicle registration).

20 \* \* \*

21 ~~Section 3. Section 1543(a) and (b) of Title 75 are amended~~ <--  
22 ~~and the section is amended by adding a subsection to read:~~

23 § 1543. Driving while operating privilege is suspended or  
24 revoked.

25 ~~(a) Offense defined. Except as provided in subsection (b)~~ <--  
26 ~~or (b.1), any person who drives a motor vehicle on any highway~~  
27 ~~or traffieway of this Commonwealth after the commencement of a~~  
28 ~~suspension, revocation or cancellation of the operating~~  
29 ~~privilege and before the operating privilege has been restored~~  
30 ~~is guilty of a summary offense and shall, upon conviction or~~

1 ~~adjudication of delinquency, be sentenced to pay a fine of \$200.~~

2 ~~(b) Certain offenses.~~

3 ~~(1) The following shall apply:~~

4 ~~(i) A person who drives a motor vehicle on a highway~~  
5 ~~or trafficway of this Commonwealth at a time when the~~  
6 ~~person's operating privilege is suspended or revoked as a~~  
7 ~~condition of acceptance of Accelerated Rehabilitative~~  
8 ~~Disposition for a violation of section 3802 (relating to~~  
9 ~~driving under influence of alcohol or controlled~~  
10 ~~substance) or the former section 3731, because of a~~  
11 ~~violation of section 1547(b)(1) (relating to suspension~~  
12 ~~for refusal) or 3802 or former section 3731 or is~~  
13 ~~suspended under section 1581 (relating to Driver's~~  
14 ~~License Compact) for an offense substantially similar to~~  
15 ~~a violation of section 3802 or former section 3731 shall,~~  
16 ~~upon a first conviction, be guilty of a summary offense~~  
17 ~~and shall be sentenced to pay a fine of \$500 and to~~  
18 ~~undergo imprisonment for a period of not less than 60~~  
19 ~~days nor more than 90 days.~~

20 ~~(ii) A second violation of this paragraph shall~~  
21 ~~constitute a summary offense and, upon conviction of this~~  
22 ~~paragraph, a person shall be sentenced to pay a fine of~~  
23 ~~\$1,000 and to undergo imprisonment for not less than 90~~  
24 ~~days.~~

25 ~~(iii) A third or subsequent violation of this~~  
26 ~~paragraph shall constitute a misdemeanor of the third~~  
27 ~~degree and, upon conviction of this paragraph, a person~~  
28 ~~shall be sentenced to pay a fine of \$2,500 and to undergo~~  
29 ~~imprisonment for not less than six months.~~

30 ~~(1.1) (i) A person who has an amount of alcohol by~~

1 ~~weight in his blood that is equal to or greater than .02%~~  
2 ~~at the time of testing or who at the time of testing has~~  
3 ~~in his blood any amount of a Schedule I or nonprescribed~~  
4 ~~Schedule II or III controlled substance, as defined in~~  
5 ~~the act of April 14, 1972 (P.L.233, No.64), known as The~~  
6 ~~Controlled Substance, Drug, Device and Cosmetic Act, or~~  
7 ~~its metabolite or who refuses testing of blood or breath~~  
8 ~~and who drives a motor vehicle on any highway or~~  
9 ~~traffieway of this Commonwealth at a time when the~~  
10 ~~person's operating privilege is suspended or revoked as a~~  
11 ~~condition of acceptance of Accelerated Rehabilitative~~  
12 ~~Disposition for a violation of section 3802 or former~~  
13 ~~section 3731 or because of a violation of section 1547(b)~~  
14 ~~(1) or 3802 or former section 3731 or is suspended under~~  
15 ~~section 1581 for an offense substantially similar to a~~  
16 ~~violation of section 3802 or former section 3731 shall,~~  
17 ~~upon a first conviction, be guilty of a summary offense~~  
18 ~~and shall be sentenced to pay a fine of \$1,000 and to~~  
19 ~~undergo imprisonment for a period of not less than 90~~  
20 ~~days.~~

21 ~~(ii) A second violation of this paragraph shall~~  
22 ~~constitute a misdemeanor of the third degree, and upon~~  
23 ~~conviction thereof the person shall be sentenced to pay a~~  
24 ~~fine of \$2,500 and to undergo imprisonment for not less~~  
25 ~~than six months.~~

26 ~~(iii) A third or subsequent violation of this~~  
27 ~~paragraph shall constitute a misdemeanor of the first~~  
28 ~~degree, and upon conviction thereof the person shall be~~  
29 ~~sentenced to pay a fine of \$5,000 and to undergo~~  
30 ~~imprisonment for not less than two years.~~

~~(1.2) Except as provided under subsection (a) or paragraph (1) or (1.1), a person who drives a motor vehicle on any highway or trafficway of this Commonwealth at a time when the person's operating privilege is suspended or revoked due to a violation under section 1532(b)(2) (relating to suspension of operating privilege) or 1533 (relating to suspension of operating privilege for failure to respond to citation) and the underlying offense for the suspension is a violation of section 1501(a) (relating to drivers required to be licensed) shall, upon conviction, be sentenced to pay a fine of \$50. The court or issuing authority may not order or assign an additional period of suspension or points for the violation.~~

~~(2) This subsection shall apply to any person against whom one of these suspensions has been imposed whether the person is currently serving this suspension or whether the effective date of suspension has been deferred under any of the provisions of section 1544 (relating to additional period of revocation or suspension). This provision shall also apply until the person has had the operating privilege restored. This subsection shall also apply to any revocation imposed pursuant to section 1542 (relating to revocation of habitual offender's license) if any of the enumerated offenses was for a violation of section 3802 or former section 3731 or for an out of State offense that is substantially similar to a violation of section 3802 or former section 3731, for which a revocation is imposed under section 1581.~~

~~(b.1) Other offenses. A person who drives a motor vehicle on any highway or trafficway of this Commonwealth after the commencement of a suspension of the person's operating privilege~~

1 ~~under section 1532(b)(2) and no other violation and before the~~  
2 ~~operating privilege has been restored is guilty of a summary~~  
3 ~~offense and shall, upon conviction or adjudication of~~  
4 ~~delinquency, be required to do any of the following:~~

5 ~~(1) Pay a fine of \$200 or enter into an agreement to~~  
6 ~~make installment payments for the fine imposed by the issuing~~  
7 ~~authority or court.~~

8 ~~(2) In accordance with 42 Pa.C.S. § 1520 (relating to~~  
9 ~~adjudication alternative program), enter into a program of~~  
10 ~~community service as approved by the issuing authority or~~  
11 ~~court in lieu of satisfying the requirements under paragraph~~  
12 ~~(1).~~

13 \* \* \*

14 (C) SUSPENSION OR REVOCATION OF OPERATING PRIVILEGE.-- [UPON] <--  
15 EXCEPT AS PROVIDED UNDER SECTION 1543.1 (RELATING TO DRIVING  
16 WHILE OPERATING PRIVILEGE IS SUSPENDED FOR CERTAIN OTHER  
17 OFFENSES), UPON RECEIVING A CERTIFIED RECORD OF THE CONVICTION  
18 OR ADJUDICATION OF DELINQUENCY OF ANY PERSON UNDER THIS SECTION,  
19 THE DEPARTMENT SHALL SUSPEND OR REVOKE THAT PERSON'S OPERATING  
20 PRIVILEGE AS FOLLOWS:

21 (1) IF THE DEPARTMENT'S RECORDS SHOW THAT THE PERSON WAS  
22 UNDER SUSPENSION, RECALL OR CANCELLATION ON THE DATE OF  
23 VIOLATION, AND HAD NOT BEEN RESTORED, THE DEPARTMENT SHALL  
24 SUSPEND THE PERSON'S OPERATING PRIVILEGE FOR AN ADDITIONAL  
25 ONE-YEAR PERIOD.

26 (2) IF THE DEPARTMENT'S RECORDS SHOW THAT THE PERSON WAS  
27 UNDER REVOCATION ON THE DATE OF VIOLATION, AND HAD NOT BEEN  
28 RESTORED, THE DEPARTMENT SHALL REVOKE THE PERSON'S OPERATING  
29 PRIVILEGE FOR AN ADDITIONAL TWO-YEAR PERIOD.

30 \* \* \*

1 Section 4. Title 75 is amended by adding sections to read:  
2 § 1543.1. DRIVING WHILE OPERATING PRIVILEGE IS SUSPENDED FOR <--  
3 CERTAIN OTHER OFFENSES.

4 (A) CERTAIN OTHER OFFENSES.--

5 (1) A PERSON WHO DRIVES A MOTOR VEHICLE ON ANY HIGHWAY  
6 OR TRAFFICWAY OF THIS COMMONWEALTH AT A TIME WHEN THE  
7 PERSON'S OPERATING PRIVILEGE IS SUSPENDED UNDER SECTION  
8 1532(B) (2) (RELATING TO SUSPENSION OF OPERATING PRIVILEGE) OR  
9 1533 (RELATING TO SUSPENSION OF OPERATING PRIVILEGE FOR  
10 FAILURE TO RESPOND TO CITATION) AND THE UNDERLYING OFFENSE  
11 FOR THE SUSPENSION IS A VIOLATION OF SECTION 1501(A)  
12 (RELATING TO DRIVERS REQUIRED TO BE LICENSED) SHALL, UPON  
13 CONVICTION OR ADJUDICATION OF DELINQUENCY, BE SENTENCED TO A  
14 PAY A FINE OF \$50.

15 (2) A PERSON WHO DRIVES A MOTOR VEHICLE ON ANY HIGHWAY  
16 OR TRAFFICWAY OF THIS COMMONWEALTH AFTER THE COMMENCEMENT OF  
17 A SECOND OR SUBSEQUENT SUSPENSION OF THE PERSON'S OPERATING  
18 PRIVILEGE UNDER SECTION 1532(B) (2) AND NO OTHER VIOLATION AND  
19 BEFORE THE OPERATING PRIVILEGE HAS BEEN RESTORED IS GUILTY OF  
20 A SUMMARY OFFENSE AND SHALL, UPON CONVICTION OR ADJUDICATION  
21 OF DELINQUENCY, BE REQUIRED TO DO ANY OF THE FOLLOWING:

22 (I) PAY A FINE OF \$200 OR ENTER INTO AN AGREEMENT TO  
23 MAKE INSTALLMENT PAYMENTS FOR THE FINE IMPOSED BY THE  
24 ISSUING AUTHORITY OR COURT.

25 (II) IN ACCORDANCE WITH 42 PA.C.S. § 1520 (RELATING  
26 TO ADJUDICATION ALTERNATIVE PROGRAM), ENTER INTO A  
27 PROGRAM OF COMMUNITY SERVICE AS APPROVED BY THE ISSUING  
28 AUTHORITY OR COURT IN LIEU OF SATISFYING THE REQUIREMENTS  
29 UNDER SUBPARAGRAPH (I). UPON RECEIVING A REPORT OF A  
30 FAILURE TO COMPLETE THE PROGRAM, THE DEPARTMENT SHALL

1 SUSPEND THE OPERATING PRIVILEGE OF THE PERSON IN  
2 ACCORDANCE WITH SECTION 1543(C)(1) (RELATING TO DRIVING  
3 WHILE OPERATING PRIVILEGE IS SUSPENDED OR REVOKED).

4 (B) CITATION OF APPROPRIATE PROVISIONS.--PRIOR TO FILING A  
5 CITATION FOR A VIOLATION OF THIS SECTION WITH THE ISSUING  
6 AUTHORITY NAMED IN THE CITATION, THE POLICE OFFICER SHALL VERIFY  
7 THE BASIS FOR THE SUSPENSION WITH THE DEPARTMENT. UPON RECEIVING  
8 THE VERIFICATION, THE POLICE OFFICER SHALL CITE THE APPROPRIATE  
9 PARAGRAPH UNDER SUBSECTION (A) ON THE CITATION.

10 § 1557. Relief from Administrative Suspension Program <--  
11 ADMINISTRATIVE SUSPENSION. <--

12 (a) Establishment. The Relief from Administrative <--  
13 Suspension Program is established within the department and  
14 shall commence on the effective date of this section.

15 (b) Purposes of program. The program shall permit the  
16 department to (A) RESTORATION.--THE DEPARTMENT MAY restore the <--  
17 operating privileges of individuals from operating privilege  
18 suspensions imposed under any of the following:

19 (1) Section 1532(b) (relating to suspension of operating  
20 privilege).

21 (2) Section 1533(a), (b) or (d) (relating to suspension  
22 of operating privilege for failure to respond to citation).

23 (3) Section 1543 (relating to driving while operating  
24 privilege is suspended or revoked).

25 (4) Section 1544(a) or (c) (relating to additional  
26 period of revocation or suspension).

27 (c) (B) Duties.--The department shall have all of the <--  
28 following duties:

29 (1) Notify each individual under a suspension of  
30 operating privilege who may be eligible for relief under the

1 program based on the criteria specified under subsection (d).

2 (2) Review the applications filed for relief under the  
3 program and make a determination as to the applicant's  
4 eligibility for relief within 30 days of receipt of the  
5 application and all other required items.

6 (3) Determine if an applicant has satisfied all court-  
7 ordered obligations which resulted in a suspension of the  
8 applicant's operating privilege under section 1533(a), (b) or  
9 (d).

10 (4) Determine if an applicant's conviction of a  
11 violation under section 1543 occurred only as the result of a  
12 suspension imposed under section 1532(b) (2), 1533 or 6146  
13 (relating to enforcement agreements) and if the applicant is  
14 currently serving or will serve a suspension of operating  
15 privilege for a conviction under section 1543.

16 (5) Determine whether the granting of relief under the  
17 program would result in immediate restoration of the  
18 applicant's operating privilege.

19 (6) Prioritize the processing of applications for which  
20 the granting of relief will result in an immediate  
21 restoration of the applicant's operating privilege.

22 (7) Update the driver's records and restore the  
23 operating privilege of an individual as authorized under this  
24 section.

25 ~~(d)~~ (C) Eligibility.--The program shall be available to an <--  
26 individual who meets all of the following criteria:

27 (1) The individual's operating privilege has been  
28 indefinitely suspended under section 1533(a), (b) or (d)  
29 before the effective date of this section.

30 (2) The department's records show that the individual's

1 operating privilege will be or is suspended for a conviction  
2 under section 1543(a) or (c) only as a result of a suspension  
3 imposed under section 1532(b) (2), 1533 or 6146 before the  
4 effective date of this section.

5 (3) The individual has served the operating privilege  
6 suspension required for the underlying offense which resulted  
7 in a violation of section 1533(a), (b) or (d).

8 (4) The individual has submitted a completed application  
9 for relief to the department on a form specified by the  
10 department. The individual must submit all of the following  
11 items with the application:

12 (i) A restoration fee.

13 (ii) Proof of financial responsibility.

14 (iii) If the individual does not own a motor vehicle  
15 currently registered in this Commonwealth, a signed  
16 statement certifying that the individual does not own a  
17 motor vehicle currently registered in this Commonwealth.

18 ~~(e)~~ (D) Reinstatement.--The department shall amend the <--  
19 driver's record of an eligible individual to show the individual  
20 satisfied the court-ordered obligations which resulted in the  
21 suspension of the individual's operating privilege under section  
22 1533. The department shall amend the driver's records of an  
23 eligible individual to show that suspension imposed for a  
24 violation under section 1543(a) will end or will not be imposed.  
25 The department shall rescind an additional suspension imposed  
26 under section 1544(a) for a violation that occurred at the same  
27 time as a violation of section 1543(a) from the driver's record  
28 of an eligible individual. The department shall not be required  
29 to reinstate the operating privilege of an eligible individual  
30 under this section if the department is authorized under this

1 title to suspend the operating privilege of the individual for  
2 other violations of this title. Upon restoration from suspension  
3 under the program, the driver's record of an eligible individual  
4 shall show five points.

5 ~~(f)~~ (E) Compliance.--The department may not be required to <--  
6 restore the operating privilege of an eligible individual under  
7 this section until the individual has complied with section 1558  
8 ~~(relating to Relief from Administrative Suspension Program~~ <--  
9 ~~participation requirements)~~ (RELATING TO RELIEF FROM <--  
10 ADMINISTRATIVE SUSPENSION PARTICIPATION REQUIREMENTS).

11 ~~(g)~~ (F) Definitions.--As used in this section, the following <--  
12 words and phrases shall have the meanings given to them in this  
13 subsection unless the context clearly indicates otherwise:

14 "Eligible individual." An individual who meets the criteria  
15 specified under subsection (d) for relief under the program. <--

16 "Program." The Relief from Administrative Suspension Program <--  
17 established under subsection (a).

18 § 1558. Relief from Administrative Suspension Program <--  
19 ADMINISTRATIVE SUSPENSION participation requirements. <--

20 (a) Form.--An eligible individual who seeks to participate  
21 in the Relief from Administrative Suspension Program shall  
22 respond to the court or issuing authority in conformance with  
23 the instructions in a restoration requirements letter. The  
24 department shall provide a restoration requirements letter to  
25 the eligible individual.

26 (b) Requirements.--In addition to the requirements under  
27 section 1960 (relating to reinstatement of operating privilege  
28 or vehicle registration), an eligible individual applying for  
29 relief under the program as required under section 1557(d)  
30 ~~(relating to Relief from Administrative Suspension Program)~~ <--

1 (RELATING TO RELIEF FROM ADMINISTRATIVE SUSPENSION), shall have <--  
2 the following duties:

3 (1) Except as provided under paragraph (2), the  
4 individual shall pay all court-ordered obligations  
5 immediately or in a single remittance.

6 (2) If the individual is unable to pay all court-ordered  
7 obligations, the individual shall:

8 (i) pay in installments all court-ordered  
9 obligations after a hearing conducted by the court or  
10 issuing authority to determine the individual's ability  
11 to pay and the issuance of an order providing for  
12 installment payments; or

13 (ii) notwithstanding 42 Pa.C.S. § 1520(a) (relating  
14 to adjudication alternative program), complete a court-  
15 ordered public service or other adjudication alternative  
16 program under 42 Pa.C.S. § 1520(b).

17 (c) Proof of financial responsibility.--Notwithstanding  
18 section 1783 (relating to proof of financial responsibility  
19 before restoring operating privilege or registration), before  
20 restoring an operating privilege, the department shall require  
21 an eligible individual to provide the department with any of the  
22 following:

23 (1) Proof of financial responsibility.

24 (2) If the individual does not own a motor vehicle  
25 currently registered in this Commonwealth, a signed statement  
26 certifying that the individual does not own a motor vehicle  
27 currently registered in this Commonwealth.

28 (d) Certification.--For the purpose of determining whether  
29 an eligible individual may receive relief under the program, the  
30 court or issuing authority shall certify any of the following to

1 the department:

2 (1) The individual has satisfied the amounts owed to the  
3 court or issuing authority.

4 (2) The individual entered into an agreement to pay in  
5 installments all court-ordered obligations.

6 (3) The individual has completed or satisfied all court-  
7 ordered public service requirements or other alternative  
8 adjudication programs.

9 (e) Definitions.--As used in this section, the following  
10 words and phrases shall have the meanings given to them in this  
11 subsection unless the context clearly indicates otherwise:

12 "Eligible individual." An individual who meets the criteria  
13 specified under section 1557(d) for relief under the program. <--

14 "Program." ~~The Relief from Administrative Suspension Program~~ <--  
15 established under section 1557(a).

16 Section 5. Sections 1960 and 6504(a) of Title 75 are amended  
17 to read:

18 § 1960. Reinstatement of operating privilege or vehicle  
19 registration.

20 The department shall charge a fee of \$70 or, if section 1379  
21 (relating to suspension of registration upon sixth unpaid  
22 parking violation in cities of the first class), 1380 (relating  
23 to suspension of registration upon unpaid tolls) or 1786(d)  
24 (relating to required financial responsibility) applies, a fee  
25 of \$88 to restore a person's operating privilege or the  
26 registration of a vehicle following a suspension or revocation.  
27 The department shall waive a fee imposed under this section for  
28 a person who enters into an agreement for installment payments  
29 or a program of community service under section 1533(d)(1)(ii)  
30 or (iii) (relating to suspension of operating privilege for

1 failure to respond to citation).

2 § 6504. Inability to pay fine and costs.

3 (a) Order for installment payments.--Upon plea and proof  
4 that a person is unable to pay any fine and costs imposed under  
5 this title, a court may, in accordance with 42 Pa.C.S. § 9758  
6 (relating to fine), order [payment] any of the following:

7 (1) Payment of the fine and costs in installments and  
8 shall fix the amounts, times and manner of payment.

9 (2) The person to enter into a program of community  
10 service under section 1533(d)(1)(iii) (relating to suspension  
11 of operating privilege for failure to respond to citation)  
12 not to exceed 50 hours.

13 \* \* \*

14 Section 6. The following shall apply to any person who is  
15 currently under operating privilege suspension under 75 Pa.C.S.  
16 §§ 1533 and 1544, regardless of the date of the underlying  
17 offense:

18 (1) THE AMENDMENT OF 42 PA.C.S. § 1520. <--

19 ~~(1)~~ (2) The amendment of 75 Pa.C.S. §§ 1501(D), 1532(B) <--  
20 (2), 1533(a), (c) and (d), 1543(C), 1960 and 6504(a). <--

21 ~~(2)~~ (3) The addition of 75 Pa.C.S. §§ 1557 and 1558. <--

22 Section 7. This act shall take effect in one year.