



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 1958

PRINTERS NO. 3504

PRIME SPONSOR: Hennessey

COST / (SAVINGS)

FUND	FY 2022/23	FY 2023/24
Motor License Fund	\$0	See "Fiscal Impact"

SUMMARY: Allows for the option to complete a driver improvement school or a special examination upon the first accumulation of six points on a driving record and requires the completion of a driver improvement school upon second and subsequent accumulation of six points or conviction for excessive speeding. This legislation would take effect in 14 months.

ANALYSIS: This legislation amends section 102 (relating to definitions) of Title 75 (Vehicles) by defining a "driver improvement school" as a program for educating drivers through a department-developed or approved curriculum that may be presented either by the department or by a third party approved by the department (PennDOT) under section 1549.

The legislation amends section 1538 to allow or require the completion of a driver improvement school (improvement school) for the accumulation of points or for excessive speeding.

For the first accumulation of six points, a person may elect to attend either an improvement school or undergo a special examination but shall not be permitted to do both. The successful completion of an improvement school will result in the removal of four points from the driving record, whereas the passing of the special examination will result in the removal of two points from the driving record. Failure to attend and complete the requirements of the improvement school or pass the special examination will result in the indefinite suspension of the person's operating privileges until completion of the requirements or passage of the special examination.

For the second accumulation and subsequent accumulation of six points, PennDOT shall require a departmental hearing and require a person to attend an improvement school. As part of the departmental hearing, the hearing examiner also may recommend that:

- the person undergoes a special on-road driver's examination.
- the person receives a license suspension for:
 - a period not to exceeding 15 days for a second accumulation of points.
 - a period not exceeding 30 days for a third or subsequent accumulation of points.

Upon completion of all the sanctions, two points will be removed from the driving record. Failure to attend the departmental hearing or complete the requirements the improvement school and other sanctions will result in the indefinite suspension of the person's operating privileges until completion of the requirements and compliance with any other sanctions imposed.

When a person is convicted of excessive speeding (31mph or more in excess of the posted speed limit), PennDOT shall require a departmental hearing and require a person to attend an improvement school. As part of the departmental hearing, the hearing examiner also may recommend:

- the person undergoes a special on-road driver's examination; or
- order a license suspension not to exceed 15 days.

Failure to attend the departmental hearing or comply with the requirements of the improvement school or other sanctions will result in the indefinite suspension of the person's operating privileges until completion of the requirements and compliance with any other sanctions imposed.

This legislation amends section 1543 (relating to driving while operating privilege is suspended or revoked) requiring a 30-day suspension of operating privileges for a person convicted of driving on a suspended license resulting from an indefinite suspension for not completing improvement school required under section 1538.

The legislation also amends section 1549 (relating to establishment of schools) to allow PennDOT to authorize a third-party to operate a driving improvement school, in addition to the school operated by PennDOT, for the purpose of educating drivers who have accumulated points or have been convicted of excessive speeding. The third-party is required to offer classroom, online instruction or a combination of both. A third-party may be authorized to administer an end-of-course examination required under section 1538 as part of the driver improvement school, provided that the examination is the same examination administered by PennDOT and may only operate an improvement school if the third party has entered into an agreement with PennDOT. A third-party may include, but not be limited to:

- A nationally recognized nonprofit or not-for-profit organization which provides driver education services to improve traffic safety.
- A private driving school in this Commonwealth.

PennDOT shall establish a minimum curriculum requirement that is designed to create behavioral change in the driver, minimum instruction hours for person attending a driver improvement school operated by the third party, which shall be no less than four hours and no more than eight hours and shall be consistent among all authorized third-party providers. PennDOT may impose additional requirements for a third party.

FISCAL IMPACT: According to PennDOT, one-time costs would include system changes which are estimated to be roughly \$180,000. Total recurring costs are projected to be approximately \$100,000 annually, which would include one new position who would be needed to process completed programs onto individuals' records as well as new forms to promote this new program.

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House Appropriations Committee (R)

DATE: October 26, 2022

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.