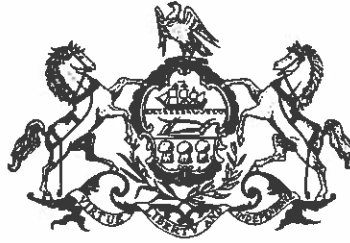


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April 3, 2012



House of Representatives  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

COMMITTEES

AGRICULTURE & RURAL AFFAIRS,  
DEMOCRATIC VICE CHAIRMAN  
APPROPRIATIONS  
GAME & FISHERIES  
JUDICIARY, DEMOCRATIC SECRETARY

**MEMORANDUM**

TO: All House Members  
SUBJECT: Introduction of Legislation  
FROM: Representative Deberah Kula

A handwritten signature in black ink, appearing to read "Deberah Kula".

In the near future, I plan to introduce legislation to amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, related to driving with a suspended license.

Under current law, penalties and grading for the offense of driving with a suspended license are increased for each conviction after the first.

If a person is convicted of a non-DUI related offense that requires his license be suspended and he is caught driving with that suspended license, his penalties and fines are increased for second and subsequent convictions.

Further, if a person is convicted of a DUI related offense and is caught committing another DUI while driving with a suspended license, his fines and penalties will also be increased for second and subsequent convictions.

However, when a person has had to surrender his license for a DUI-related offense and is caught driving with a suspended license but is not under the influence of drugs or alcohol, there is no increased penalty for second or subsequent offenses. The result is a loophole that could allow a person who is driving with a non-DUI related suspended license for the second or third time to be sentenced to a harsher penalty than a person who is caught for the second or third time where his license has been suspended due to a DUI conviction. This legislation seeks to remedy that loophole. The bill would keep all offenses arising from driving with a suspended license within a structure where the more frequently a person commits the offense, the more severe his punishment will be.

To better illustrate where this loophole exists, I have attached a chart for your review.

Page 2

It is critical that we do everything we can to discourage people from committing DUI and DUI related offenses. According to the Pennsylvania Department of Transportation, there were over twelve thousand alcohol related crashes in our state. We need to give our prosecutors and judges every tool we can to help close this loophole and deter people from DUI convictions in the first place, so that we can make our roads and highways safe for all our citizens.

If you are interested in cosponsoring this legislation please contact Julie Foley at 772-1858 or [jfoley@pahouse.net](mailto:jfoley@pahouse.net).

Charge	Suspended License (Regular suspension; first time driving w/suspended license)	(1543)(a)	Suspended License (Regular suspension, second through fifth w/suspended license)	(6503)(a)	Suspended License (Regular suspension; sixth or subsequent time driving w/suspended license)	(6503)(a.1)	Suspended License (FOR DUI; first time driving w/suspended license NOT DRUNK)	(1543)(b)(1)	Suspended License (FOR DUI; subsequent driving w/suspended license NOT DRUNK)	1543(b)(1.1)(i)	Suspended License (FOR DUI; first time driving w/suspended license <b>while DRUNK</b> )	1543(b)(1.1)(ii)	Suspended License (FOR DUI; second time driving w/suspended license <b>while DRUNK</b> )	1543(b)(1.1)(iii)
Grade:	Summary Offense		Summary Offense		Summary Offense		Summary Offense		Summary Offense		Summary Offense		M-3	M-1
Fine	\$200		\$200-\$1000		\$1000		\$500		\$1000		\$1000		\$2,500	\$5,000
Sentence	0 imprisonment		Up to 6 months		30 days-6 months		60-90 days		90 days		90 days		6 months	Two years