

HOUSE OF REPRESENTATIVES  
COMMONWEALTH OF PENNSYLVANIA

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House Bill 10

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House Transportation Committee Meeting

Main Capitol Building  
Room 140  
Harrisburg, Pennsylvania

Tuesday, March 9, 1999 - 10:25 a.m.

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BEFORE:

Honorable Richard Geist, Majority Chairperson  
Honorable Ellen Bard  
Honorable Russell Fairchild  
Honorable Dick Hess  
Honorable Dennis Leh  
Honorable Ronald Marsico  
Honorable John Pippy  
Honorable Joseph Battisto, Minority Chairperson  
Honorable Frank Gigliotti  
Honorable Susan Laughlin  
Honorable David Levdansky  
Honorable Anthony Melio  
Honorable Joseph Preston  
Honorable Dante Santoni

ALSO PRESENT:

Dana Alwine, Esquire  
Office of Majority Chief Counsel

Eric C. Bugaile  
Majority Research Analyst

Theresa Jones  
Majority Secretary

1 CHAIRPERSON GEIST: The first order of  
2 business is the resolution of the Transportation Committee  
3 so that we continue to call on set dates and times for  
4 meetings and hearings. Moved by Representative Hess.  
5 Seconded by Marsico. Are there any negative votes?

6 (No response.)

7 CHAIRPERSON GEIST: Resolution passes. All  
8 right. Let's move now into the amendments on House Bill  
9 10. The first amendment is A0768. I'm offering this  
10 amendment for Todd Platts.

11 REPRESENTATIVE MELIO: Mr. Chairman, I don't  
12 have any amendments. Do you have them, copies?

13 CHAIRPERSON GEIST: We're going fast, but  
14 they're passing them out. This is a technical amendment  
15 that changes language from affidavit to a certificate of  
16 authorization. And it's in addition to. And I support the  
17 amendment and would ask for its passage.

18 REPRESENTATIVE LEH: Mr. Chairman, so moved.

19 CHAIRPERSON GEIST: Moved by Representative  
20 Leh. Seconded by Bard. Any negative amendments?

21 (No response.)

22 CHAIRPERSON GEIST: Next amendment is  
23 Representative Battisto's amendment. And Joe, do you want  
24 to explain this? It's an agreed-to amendment. These  
25 are --

1 REPRESENTATIVE BATTISTO: My amendment merely  
2 changes the section dealing with the curfew. The end of  
3 the bill says in effect in 180 days, but there's no need  
4 for us to wait 180 days to put that in effect. It would  
5 put it in effect within 30 days.

6 CHAIRPERSON GEIST: Amen. Moved by  
7 Representative Laughlin. Seconded by Representative  
8 Pippy. Any negative votes?

9 (No response.)

10 CHAIRPERSON GEIST: The amendment's adopted  
11 unanimously. All right. The next amendment, we're making  
12 copies of it. This is also for Representative Platts. I  
13 will introduce it. This will change the curfew on Friday,  
14 Saturday and Sunday evenings from midnight till 11:00 a.m.  
15 It will be 12 o'clock during the rest of the week.

16 And that was a compromise. Originally, they  
17 wanted to make it 11:00. But we -- with realizing that  
18 there's so many school activities and people coming back  
19 from athletic events and things like that, we agreed to  
20 this. And this amendment does target the time period over  
21 the weekend, which is very -- what we call very high  
22 hazard.

23 I would -- 11:00 on Friday, 11:00 on Saturday,  
24 and 11:00 on Sunday. The rest of the week will be 12:00.  
25 Motion to move it out by Bard. Seconded by Hess. Are

1 there any negative votes?

2 REPRESENTATIVE LEH: Mr. Chairman, no. I'm a  
3 no.

4 CHAIRPERSON GEIST: All right. Can we call  
5 the roll, please?

6 MS. JONES: Chairman Geist?

7 CHAIRPERSON GEIST: Yes.

8 MS. JONES: Representative Argall? Bard?

9 REPRESENTATIVE BARD: Yes.

10 MS. JONES: Druce?

11 CHAIRPERSON GEIST: Yes. I'm voting Argall's  
12 proxy. Yes.

13 MS. JONES: Fairchild? Forcier? Hess? Leh?

14 REPRESENTATIVE LEH: No.

15 MS. JONES: Maher? Marsico?

16 REPRESENTATIVE MARSICO: Yes.

17 MS. JONES: Pippy?

18 REPRESENTATIVE PIPPY: Yes.

19 MS. JONES: Platts?

20 CHAIRPERSON GEIST: Yes.

21 MS. JONES: Smith?

22 CHAIRPERSON GEIST: Yes by proxy.

23 MS. JONES: Stairs?

24 CHAIRPERSON GEIST: Yes by proxy.

25 MS. JONES: Strittmatter? Chairman Battisto?

1 REPRESENTATIVE BATTISTO: Yes.

2 MS. JONES: Representative Daley? Gigliotti?

3 REPRESENTATIVE BATTISTO: Yes by proxy.

4 MS. JONES: Laughlin?

5 REPRESENTATIVE LAUGHLIN: Yes.

6 MS. JONES: Levdansky?

7 REPRESENTATIVE LEVDANSKY: Yes.

8 MS. JONES: Markosek?

9 REPRESENTATIVE BATTISTO: Yes by proxy.

10 MS. JONES: Melio?

11 REPRESENTATIVE MELIO: Yes.

12 MS. JONES: Petrarca?

13 REPRESENTATIVE BATTISTO: Yes by proxy.

14 MS. JONES: Preston?

15 REPRESENTATIVE BATTISTO: Yes by proxy.

16 MS. JONES: Roberts?

17 REPRESENTATIVE BATTISTO: Yes by proxy.

18 MS. JONES: And Santoni?

19 CHAIRPERSON GEIST: The amendment being

20 overwhelmingly voted yes is adopted. There's one more

21 amendment. This is the amendment offered -- I'm going to

22 offer the amendment that based upon all the testimony we

23 have heard, that the number of occupants in a vehicle

24 cannot exceed the number of seat belts.

25 And we think that from what we heard, that

1 this becomes a very good amendment and fits very well with  
2 what we've been doing. Moved by Representative Pippy.  
3 Seconded by Representative Marsico. Are there any negative  
4 votes?

5 (No response.)

6 CHAIRPERSON GEIST: The amendment passes. On  
7 the bill, final passage -- okay. This will also be my  
8 amendment. This cleans up the suspension language and  
9 brings it into conformity with what Lieutenant Bickley  
10 would like to see.

11 And Dana, do you want to explain this? I  
12 think everybody already understands it. It's technical.  
13 And it falls in line with the Department regulations --  
14 recommendations. Excuse me.

15 MS. ALWINE: This was a change suggested by  
16 the Department. Prior to this change, a person who would  
17 be under 18 who would incur the high speed violation or  
18 commit an infraction that would result in accumulation of  
19 points, if they turn 18 before that violation turns into a  
20 conviction, we would not be able to accrue the additional  
21 suspension.

22 And the same way if they had committed the  
23 infraction resulting in the accumulation of points but were  
24 not notified until after 18 about the accumulation of  
25 points, we would not be able to catch them with the

1 additional suspension time. This language closes that  
2 loophole.

3 CHAIRPERSON GEIST: On the amendment, moved by  
4 Representative Hess. Seconded by Pippy. Any negative  
5 votes?

6 (No response.)

7 CHAIRPERSON GEIST: All right. On the bill,  
8 Representative Battisto.

9 REPRESENTATIVE MELIO: Mr. Chairman?

10 CHAIRPERSON GEIST: Yes.

11 REPRESENTATIVE MELIO: I just have a question  
12 on the one amendment about the passenger seat belts. Is  
13 this only for 18-year-olds, it's not for anyone else?

14 CHAIRPERSON GEIST: Yes, under 18.

15 REPRESENTATIVE MELIO: And then again, this is  
16 not a primary offense?

17 CHAIRPERSON GEIST: No, it's not a primary  
18 offense.

19 REPRESENTATIVE MELIO: Thank you.

20 CHAIRPERSON GEIST: On the bill,  
21 Representative Battisto.

22 REPRESENTATIVE BATTISTO: Just one statement.  
23 First of all, I think there's some very good things in this  
24 legislation. I think we ought to move as quickly as  
25 possible, move it to the floor of the House. I was very



1 impressed by the comments by the Stauffer family. That  
2 alone I think is strong enough impetus for us to move this  
3 bill along. Thank you, Mr. Chairman. Thank you.

4 CHAIRPERSON GEIST: I'd like to make a comment  
5 on this bill before we do pass it. I would really like to  
6 thank the Department, the Governor's office, the House and  
7 Senate staffs, but especially the staff of this Committee.  
8 I think they've done yeoman work on this.

9 We have collected reams, reams of information  
10 that have gone into what we feel is the very best bill of  
11 this kind in the United States. And I'm just really proud  
12 of everybody who's worked on it, and I think everybody  
13 deserves a huge pat on the back. This has been the -- a  
14 long process that's been done very, very rapidly for as  
15 fast as government moves.

16 And now, Representative Snyder, in leadership,  
17 it's up to you to move the bill on the floor. Right now  
18 we'd like to move it out. Moved by Pippy. Seconded by  
19 Melio. Are there any negative votes?

20 (No response.)

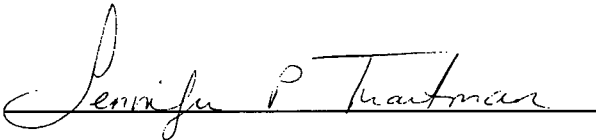
21 CHAIRPERSON GEIST: The bill is reported  
22 unanimously. This meeting is adjourned.

23 (Whereupon, at 10:39 a.m., the meeting  
24 adjourned.)

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I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me during the hearing of the within cause and that this is a true and correct transcript of the same.



JENNIFER P. TROUTMAN

Registered Professional Reporter

My Commission Expires:  
April 30, 2001

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