

VEHICLE CODE - DUTY OF DRIVER IN CONSTRUCTION AND MAINTENANCE
AREAS OR ON HIGHWAY SAFETY CORRIDORS AND DUTY OF DRIVER IN
EMERGENCY RESPONSE AREAS

Act of Nov. 24, 2015, P.L. 431, No. 70

Cl. 75

Session of 2015
No. 2015-70

SB 887

AN ACT

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in rules of the road in general, further providing for duty of driver in construction and maintenance areas or on highway safety corridors and for duty of driver in emergency response areas.

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

Section 1. Section 3326 of Title 75 of the Pennsylvania Consolidated Statutes is amended by adding subsections to read: § 3326. Duty of driver in construction and maintenance areas or on highway safety corridors.

* * *

(c.2) Penalties for bodily injury or death.--In addition to any other penalty prescribed by law, a driver who violates this section and causes bodily injury to, serious bodily injury to or the death of a worker acting in the worker's official capacity or on a highway safety corridor designated under section 6105.1 commits an offense and shall, upon conviction, adjudication of delinquency or admission into an Accelerated Rehabilitative Disposition program or a preadjudication program:

(1) For causing bodily injury as defined in 18 Pa.C.S. § 2301 (relating to definitions), pay a fine of not more than \$1,000.

(2) For causing serious bodily injury, pay a fine of not more than \$5,000.

(3) For causing death, pay a fine of not more than \$10,000.

(c.3) Suspension of operating privilege.--Upon receiving a certified record of the driver's conviction, adjudication of delinquency or admission into an Accelerated Rehabilitative Disposition program or a preadjudication program for a violation of this section, the department shall suspend the operating privilege of the driver in accordance with the following:

(1) For a period of six months if the certified conviction, adjudication of delinquency or admission into an Accelerated Rehabilitative Disposition program or a preadjudication program indicates the violation resulted in the serious bodily injury of a worker acting in the worker's official capacity or on a highway safety corridor designated under section 6105.1.

(2) For a period of one year if the certified conviction, adjudication of delinquency or admission into an Accelerated Rehabilitative Disposition program or a preadjudication program indicates the violation resulted in the death of a worker acting in the worker's official capacity or on a highway safety corridor designated under section 6105.1.

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Section 2. Section 3327(b.1) and (e) of Title 75 are amended and the section is amended by adding a subsection to read:

§ 3327. Duty of driver in emergency response areas.

* * *

(b.1) Suspension of operating privilege.--

[The] **(1) Except as otherwise provided in paragraph (2),** the department shall suspend the operating privilege of any person for 90 days upon receiving a certified record of the driver's conviction, adjudication of delinquency or admission into **an Accelerated Rehabilitative Disposition program or** a preadjudication program for a violation of subsection (a), if the certified conviction indicates the violation resulted in serious bodily injury to another person. The license shall be surrendered in accordance with section 1540 (relating to surrender of license).

(2) Upon receiving a certified record of the driver's conviction, adjudication of delinquency or admission into an Accelerated Rehabilitative Disposition program or a preadjudication program for a violation of subsection (a), in accordance with section 1540, the department shall suspend the operating privilege of the driver in accordance with the following:

(i) For a period of six months if the certified conviction, adjudication of delinquency or admission into an Accelerated Rehabilitative Disposition program or a preadjudication program indicates the violation resulted in the serious bodily injury of an emergency service responder.

(ii) For a period of one year if the certified conviction, adjudication of delinquency or admission into an Accelerated Rehabilitative Disposition program or a preadjudication program indicates the violation resulted in the death of an emergency service responder.

(b.2) Penalties for bodily injury or death.--In addition to any other penalty prescribed by law, a driver who violates this section and causes bodily injury to, serious bodily injury to or the death of an emergency service responder commits an offense and shall, upon conviction, as follows:

(1) For causing bodily injury as defined in 18 Pa.C.S. § 2301 (relating to definitions), pay a fine of not more than \$1,000.

(2) For causing serious bodily injury, pay a fine of not more than \$5,000.

(3) For causing death, pay a fine of not more than \$10,000.

* * *

(e) Fines to be doubled.--In addition to any penalty as provided in [subsection (b)] subsections (b) and (b.2), the fine for any of the following violations when committed in an emergency response area manned by emergency service responders shall be double the usual amount:

Section 3102 (relating to obedience to authorized persons directing traffic).

Section 3111 (relating to obedience to traffic-control devices).

Section 3114 (relating to flashing signals).

Section 3302 (relating to meeting vehicle proceeding in opposite direction).

Section 3303 (relating to overtaking vehicle on the left).

Section 3304 (relating to overtaking vehicle on the right).

Section 3305 (relating to limitations on overtaking on the left).

Section 3306 (relating to limitations on driving on left side of roadway).

Section 3307 (relating to no-passing zones).

Section 3310 (relating to following too closely).

Section 3312 (relating to limited access highway entrances and exits).

Section 3323 (relating to stop signs and yield signs).

Section 3325 (relating to duty of driver on approach of emergency vehicle).

Section 3361 (relating to driving vehicle at safe speed).

Section 3707 (relating to driving or stopping close to fire apparatus).

Section 3710 (relating to stopping at intersection or crossing to prevent obstruction).

Section 3714 (relating to careless driving).

Section 3736 (relating to reckless driving).

Section 3802 (relating to driving under influence of alcohol or controlled substance).

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Section 3. This act shall take effect in six months.

APPROVED--The 24th day of November, A.D. 2015.

TOM WOLF