

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1332

Session of
1983

INTRODUCED BY RUDY, JULY 6, 1983

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, OCTOBER 12, 1983

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for the removal of points AND
3 PENALTIES RELATED TO SPEEDING. <—

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

6 Section 1. ~~Section 1538(b)(3)~~ SECTIONS 1535(A), 1538(C), <—
7 1545 AND 3362(C) of Title 75 of the Pennsylvania Consolidated
8 Statutes ~~is~~ ARE amended to read: <—

9 § 1535. SCHEDULE OF CONVICTIONS AND POINTS. <—

10 (A) GENERAL RULE.--A POINT SYSTEM FOR DRIVER EDUCATION AND
11 CONTROL IS HEREBY ESTABLISHED WHICH IS RELATED TO OTHER
12 PROVISIONS FOR USE, SUSPENSION AND REVOCATION OF THE OPERATING
13 PRIVILEGE AS SPECIFIED UNDER THIS TITLE. EVERY DRIVER LICENSED
14 IN THIS COMMONWEALTH WHO IS CONVICTED OF ANY OF THE FOLLOWING
15 OFFENSES SHALL BE ASSESSED POINTS AS OF THE DATE OF VIOLATION IN
16 ACCORDANCE WITH THE FOLLOWING SCHEDULE:

17 SECTION NUMBER	OFFENSE	POINTS
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1	1512	VIOLETION OF RESTRICTION ON	
2		DRIVER'S LICENSE.	2
3	1571	VIOLETIONS CONCERNING LICENSES.	3
4	3102	FAILURE TO OBEY POLICEMAN OR	
5		AUTHORIZED PERSON.	2
6	3112(A)(3)(I)	FAILURE TO STOP FOR A RED LIGHT.	3
7	3114(A)(1)	FAILURE TO STOP FOR A FLASHING	
8		RED LIGHT.	3
9	3302	FAILURE TO YIELD HALF OF ROADWAY	
10		TO ONCOMING VEHICLE.	3
11	3303	IMPROPER PASSING.	3
12	3304	OTHER IMPROPER PASSING.	3
13	3305	OTHER IMPROPER PASSING.	3
14	3306(A)(1)	OTHER IMPROPER PASSING.	4
15	3306(A)(2)	OTHER IMPROPER PASSING.	3
16	3306(A)(3)	OTHER IMPROPER PASSING.	3
17	3307	OTHER IMPROPER PASSING.	3
18	3310	FOLLOWING TOO CLOSELY.	3
19	3321	FAILURE TO YIELD TO DRIVER ON THE	
20		RIGHT AT INTERSECTION.	3
21	3322	FAILURE TO YIELD TO ONCOMING	
22		DRIVER WHEN MAKING LEFT TURN.	3
23	3323(B)	FAILURE TO STOP FOR STOP SIGNS.	3
24	3324	FAILURE TO YIELD WHEN ENTERING OR	
25		CROSSING ROADWAY BETWEEN INTER-	
26		SECTIONS.	3
27	3332	IMPROPER TURNING AROUND.	3
28	3341	FAILURE TO STOP FOR FLASHING RED	
29		LIGHTS OR GATE AT RAILROAD	
30		CROSSING.	3

1	3344	FAILURE TO STOP WHEN ENTERING FROM	
2		ALLEY, DRIVEWAY OR BUILDING.	3
3	3345(A)	FAILURE TO STOP FOR SCHOOL BUS	
4		WITH FLASHING RED LIGHTS.	5
5		(AND 30 DAYS SUSPENSION)	
6	3361	DRIVING TOO FAST FOR CONDITIONS.	2
7	3362	EXCEEDING MAXIMUM SPEED.--OVER LIMIT:	
8		[6-10	2]
9		11-15	3
10		16-25	4
11		26-30	5
12		31-OVER	5
13		(AND DEPARTMENTAL HEARING	
14		AND SANCTIONS PROVIDED	
15		UNDER SECTION 1538(D))	
16	3365(B)	EXCEEDING SPECIAL SPEED LIMIT	
17		IN SCHOOL ZONES.	3
18	3365(C)	EXCEEDING SPECIAL SPEED LIMIT	
19		FOR TRUCKS ON DOWNGRADES.	3
20	3542(A)	FAILURE TO YIELD TO PEDESTRIANS IN	
21		CROSSWALK.	2
22	3547	FAILURE TO YIELD TO PEDESTRIAN ON	
23		SIDEWALK.	3
24	3549(A)	FAILURE TO YIELD TO BLIND	
25		PEDESTRIAN.	3
26	3702	IMPROPER BACKING.	3
27	3714	RECKLESS DRIVING.	3
28	3745	LEAVING SCENE OF ACCIDENT	
29		INVOLVING PROPERTY DAMAGE ONLY.	4

30 * * *

1 § 1538. School, examination or hearing on accumulation of
2 points or excessive speeding.

3 * * *

4 ~~(b) Second accumulation of six points.~~ <—

5 * * *

6 ~~(3) Upon completion of the sanction or sanctions imposed~~
7 ~~by the department, [two points shall be removed from] the~~
8 ~~person's record shall show five points, except that any~~
9 ~~additional points assessed against the person since the date~~
10 ~~of the last violation resulting in the sanction or sanctions~~
11 ~~shall be added to the five points.~~

12 * * *

13 (C) SUBSEQUENT ACCUMULATIONS OF SIX POINTS.--WHEN ANY <—
14 PERSON'S RECORD HAS BEEN REDUCED BELOW SIX POINTS AND FOR THE
15 THIRD OR SUBSEQUENT TIME SHOWS AS MANY AS SIX POINTS, THE
16 DEPARTMENT SHALL REQUIRE THE DRIVER TO ATTEND A DEPARTMENTAL
17 HEARING TO DETERMINE WHETHER THE PERSON'S OPERATING PRIVILEGE
18 SHOULD BE SUSPENDED FOR A PERIOD NOT TO EXCEED 30 DAYS. UPON
19 COMPLETION OF THE 30-DAY SUSPENSION, TWO POINTS SHALL BE REMOVED
20 FROM THE PERSON'S RECORD. FAILURE TO ATTEND THE HEARING OR TO
21 COMPLY WITH THE REQUIREMENTS OF THE FINDINGS OF THE DEPARTMENT
22 SHALL RESULT IN THE SUSPENSION OF THE OPERATING PRIVILEGE UNTIL
23 THE PERSON HAS COMPLIED.

24 * * *

25 § 1545. RESTORATION OF OPERATING PRIVILEGE.

26 UPON THE RESTORATION OF ANY PERSON'S OPERATING PRIVILEGE
27 WHICH HAS BEEN SUSPENDED [OR REVOKED PURSUANT TO THIS
28 SUBCHAPTER] PURSUANT TO SECTION 1539 (RELATING TO SUSPENSION OF
29 OPERATING PRIVILEGE ON ACCUMULATION OF POINTS), SUCH PERSON'S
30 RECORD SHALL SHOW FIVE POINTS, EXCEPT THAT ANY ADDITIONAL POINTS

1 [ASSESSED AGAINST THE PERSON] ASSIGNED TO THE PERSON'S RECORD
2 SINCE THE DATE OF THE LAST VIOLATION RESULTING IN THE SUSPENSION
3 OR REVOCATION SHALL BE ADDED TO SUCH FIVE POINTS UNLESS THE
4 PERSON HAS SERVED AN ADDITIONAL PERIOD OF SUSPENSION OR
5 REVOCATION PURSUANT TO SECTION 1544(A) (RELATING TO ADDITIONAL
6 PERIOD OF REVOCATION OR SUSPENSION). [THIS SECTION SHALL NOT
7 APPLY TO SECTION 1533 (RELATING TO SUSPENSION OF OPERATING
8 PRIVILEGE FOR FAILURE TO RESPOND TO CITATION).]

9 § 3362. MAXIMUM SPEED LIMITS.

10 * * *

11 (C) PENALTY.--ANY PERSON VIOLATING THIS SECTION IS GUILTY OF
12 A SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE SENTENCED TO
13 PAY A FINE OF [\$35] \$5. ANY PERSON EXCEEDING THE MAXIMUM SPEED
14 LIMIT BY MORE THAN [FIVE] TEN MILES PER HOUR SHALL PAY AN
15 ADDITIONAL FINE OF \$2 PER MILE FOR EACH MILE IN EXCESS OF [FIVE]
16 TEN MILES PER HOUR OVER THE MAXIMUM SPEED LIMIT.

17 ~~Section 2. This act shall take effect in 60 days.~~

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18 Section 2. This act shall take effect in 120 days.