

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 503 Session of
1991

INTRODUCED BY DeLUCA, GEORGE, McNALLY, SALOOM, D. R. WRIGHT,
KOSINSKI, COWELL, FLICK, VEON, PERZEL, S. H. SMITH,
TANGRETTI, FLEAGLE, E. Z. TAYLOR, BARLEY, ITKIN, BUNT, COHEN,
MIHALICH, HERMAN, MAYERNIK, FAIRCHILD, DEMPSEY, MELIO,
COLAIZZO, MERRY, PESCI, TRELLO, CARLSON, STEELMAN, HALUSKA,
D. W. SNYDER, REBER, LUCYK, LAUGHLIN, RITTER, BELFANTI,
KASUNIC, LEE, FARMER, DALEY, CIVERA, GIGLIOTTI, OLASZ, JAMES,
COLAFELLA, VAN HORNE, JOSEPHS, FAJT, PISTELLA, COY, RAYMOND,
KRUSZEWSKI, GERLACH, SAURMAN, TELEK, MICHLOVIC, BROUJOS AND
BOYES, MARCH 11, 1991

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 23, 1992

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, providing for notifying drivers of suspensions by
3 certified mail; requiring drivers to return suspended
4 driver's licenses in person or by certified mail; PROVIDING <—
5 FOR NOTIFICATION OF CANCELLATION OF AUTOMOBILE INSURANCE;
6 FURTHER PROVIDING FOR TERMINATION OF ASSIGNED RISK POLICIES;
7 and increasing the fee and authorizing an additional fee for
8 reinstatement of a suspended driver's license.

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

11 Section 1. Sections 1533, ~~1540(b) and 1960~~ AND 1540(B) of <—
12 Title 75 of the Pennsylvania Consolidated Statutes are amended
13 to read:

14 § 1533. Suspension of operating privilege for failure to
15 respond to citation.

16 The department shall suspend the operating privilege of any

1 person who has failed to respond to a citation to appear before
2 a court of competent jurisdiction of this Commonwealth or of any
3 state for violation of this title, other than parking, upon
4 being duly notified [in accordance with general rules] by
5 certified mail. There shall be 15 days to respond to such
6 notification before suspension is imposed. The suspension shall
7 be for an indefinite period until such person shall respond and
8 pay any fines and penalties imposed. Such suspension shall be in
9 addition to the requirement of withholding renewal or
10 reinstatement of a violator's driver's license as prescribed in
11 section 1503(c) (relating to persons ineligible for licensing).
12 THE FAILURE OF A PERSON TO PICK UP THE MAILED NOTICE OF
13 SUSPENSION OF HIS LICENSE SHALL NOT AFFECT THE EFFECTIVE DATE OF
14 THAT SUSPENSION.

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15 § 1540. Surrender of license.

16 * * *

17 (b) Suspension, revocation or disqualification of operating
18 privilege.--Upon the suspension or revocation of the operating
19 privilege or the disqualification of the commercial operating
20 privilege of any person by the department, the department shall
21 forthwith notify the person [in writing] by certified mail at
22 the address of record to surrender his driver's license to the
23 department for the term of suspension, revocation or
24 disqualification. The suspension, revocation or disqualification
25 shall be effective upon a date determined by the department or
26 the date of surrender of the license to the department, in
27 person or by certified mail, if that date is subsequent to the
28 department's notice to surrender the license, whichever occurs
29 first. Upon surrender of the license, the department shall issue
30 a receipt showing the date that it received the license. THE

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1 FAILURE OF A PERSON TO PICK UP THE MAILED NOTICE OF SUSPENSION,
2 REVOCATION OR DISQUALIFICATION OF HIS LICENSE SHALL NOT AFFECT
3 THE EFFECTIVE DATE OF THAT SUSPENSION, REVOCATION OR
4 DISQUALIFICATION.

5 * * *

6 SECTION 2. TITLE 75 IS AMENDED BY ADDING A SECTION TO READ: <—
7 § 1726. TERMINATION OF POLICIES.

8 AN INSURER SUBJECT TO THIS CHAPTER MUST PROVIDE THE INSURED
9 WITH NOTICE OF CANCELLATION OF A POLICY BY CERTIFIED MAIL.
10 FAILURE TO COMPLY WITH THIS PROVISION SHALL VOID THE
11 CANCELLATION AND MAINTAIN THE POLICY IN FORCE.

12 SECTION 3. SECTIONS 1744 AND 1960 OF TITLE 75 ARE AMENDED TO
13 READ:

14 § 1744. TERMINATION OF POLICIES.

15 CANCELLATION, REFUSAL TO RENEW AND OTHER TERMINATION OF
16 POLICIES ISSUED UNDER THE ASSIGNED RISK PLAN SHALL BE IN
17 ACCORDANCE WITH THE RULES OF THE PLAN, WHICH SHALL PROVIDE FOR
18 NOTICE OF CANCELLATION BY CERTIFIED MAIL.

19 § 1960. Reinstatement of operating privilege or vehicle
20 registration.

21 (a) General rule.--The department shall charge a fee of
22 [~~\$25~~] \$30 or, if section 1786(d) (relating to required financial
23 responsibility) applies, a fee of \$50 to restore a person's
24 operating privilege or the registration of a vehicle following a
25 suspension or revocation.

26 (b) Additional fee.--In addition to the fee for the
27 restoration of a person's operating privilege provided for in
28 subsection (a), the department is authorized to charge an
29 additional restoration fee which is reasonable and sufficient to
30 cover expenses incurred in the administration of notifying

1 persons of a suspension, revocation or disqualification of the
2 operating privilege by certified mail. The amount of the
3 additional fee and the basis used by the department in
4 establishing it shall be published in the Pennsylvania Bulletin.
5 Any subsequent increases or decreases in the additional
6 restoration fee shall be published in the Pennsylvania Bulletin
7 in a similar manner.

8 ~~Section 2. This act shall take effect in 180 days.~~ <—

9 SECTION 4. THIS ACT SHALL TAKE EFFECT AS FOLLOWS: <—

10 (1) THE AMENDMENT OF 75 PA.C.S. §§ 1533, 1540(B) AND
11 1960 SHALL TAKE EFFECT IN 180 DAYS.

12 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 60
13 DAYS.