
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 140 Session of
1995

INTRODUCED BY HOLL, JANUARY 17, 1995

SENATE AMENDMENTS TO HOUSE AMENDMENTS, MARCH 11, 1996

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, ~~providing for vehicle registration periods of less~~ <—
3 ~~than one year; and~~ further providing for accidents involving
4 death or personal injury.

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

7 ~~Section 1. Section 1307 of Title 75 of the Pennsylvania~~ <—
8 ~~Consolidated Statutes is amended by adding a subsection to read:~~
9 ~~§ 1307. Period of registration.~~

10 * * *

11 ~~(a.1) Seasonal registration. Upon application on a form~~
12 ~~prescribed by the department, the owner or lessee of a passenger~~
13 ~~car, motorcycle, truck or farm vehicle which does not have a~~
14 ~~gross vehicle weight rating of more than 9,000 pounds may~~
15 ~~register the vehicle with the department for a period of~~
16 ~~successive months of less than one year. The applicant shall~~
17 ~~specify the period of months during which the vehicle shall be~~
18 ~~registered. Except when the department initially converts a~~

1 ~~currently valid annual registration to a seasonal registration,~~
2 ~~the annual fee prescribed for the vehicle by Chapter 19~~
3 ~~(relating to fees) shall be paid in full by the applicant~~
4 ~~regardless of the number of months chosen for registration by~~
5 ~~the applicant. Upon receipt of the appropriate fee and the~~
6 ~~properly completed form, including all information required by~~
7 ~~this chapter, the department shall issue a seasonal registration~~
8 ~~that shall expire on the last day of the expiration month chosen~~
9 ~~by the registrant.~~

10 * * *

11 Section 2. ~~Section 1786(g)(2) of Title 75 is amended and~~
12 ~~subsection (d) is amended by adding a paragraph to read:~~
13 ~~§ 1786. Required financial responsibility.~~

14 * * *

15 ~~(d) Suspension of registration and operating privilege. The~~
16 ~~Department of Transportation shall suspend the registration of a~~
17 ~~vehicle for a period of three months if it determines the~~
18 ~~required financial responsibility was not secured as required by~~
19 ~~this chapter and shall suspend the operating privilege of the~~
20 ~~owner or registrant for a period of three months if the~~
21 ~~department determines that the owner or registrant has operated~~
22 ~~or permitted the operation of the vehicle without the required~~
23 ~~financial responsibility. The operating privilege shall not be~~
24 ~~restored until the restoration fee for operating privilege~~
25 ~~provided by section 1960 (relating to reinstatement of operating~~
26 ~~privilege or vehicle registration) is paid. Whenever the~~
27 ~~department revokes or suspends the registration of any vehicle~~
28 ~~under this chapter, the department shall not restore the~~
29 ~~registration until the vehicle owner furnishes proof of~~
30 ~~financial responsibility in a manner determined by the~~

1 department and submits an application for registration to the
2 department, accompanied by the fee for restoration of
3 registration provided by section 1960. This subsection shall not
4 apply in the following circumstances:

5 * * *

6 ~~(3) Insurance coverage which has terminated or financial~~
7 ~~responsibility which has lapsed simultaneously with, or~~
8 ~~subsequent to, expiration of a seasonal registration, as~~
9 ~~provided in section 1307(a.1) (relating to period of~~
10 ~~registration).~~

11 * * *

12 (g) Defenses.—

13 * * *

14 (2) No person shall be penalized for maintaining a
15 registered motor vehicle without financial responsibility
16 under subsection (d) if, at the time insurance coverage
17 terminated or financial responsibility lapsed, the
18 registration plate and card were voluntarily surrendered to
19 the department, a full agent designated by the department to
20 accept voluntarily surrendered registration plates and cards
21 pursuant to regulations promulgated by the department or a
22 decentralized service agent appointed by the department. If a
23 seasonal registration, as provided in section 1307(a.1), has
24 been issued for the vehicle, return of the registration plate
25 and card shall be required only if the insurance coverage
26 terminates or financial responsibility lapses prior to the
27 expiration of the seasonal registration. The department, a
28 full agent or the decentralized service agent, as the case
29 may be, shall issue a receipt showing the date that the
30 registration plate and card were received. The designated

1 ~~full agent or the decentralized service agent shall return~~
2 ~~the registration plate and card to the department accompanied~~
3 ~~by a copy of the receipt.~~

4 * * *

5 ~~Section 3. Section 3742(b), (c) and (d) of Title 75 are~~
6 ~~amended to read:~~

7 SECTION 1. SECTION 3742(B), (C) AND (D) OF TITLE 75 OF THE <—
8 PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ:

9 § 3742. Accidents involving death or personal injury.

10 * * *

11 (b) Penalties.--

12 (1) Except as otherwise provided in this section, any
13 person violating this section commits a misdemeanor of the
14 [third] first degree.

15 (2) If the victim suffers serious bodily injury [or
16 death], any person violating subsection (a) commits a
17 [misdemeanor of the first degree.] felony of the third degree
18 and the sentencing court shall order the person to serve a
19 minimum term of imprisonment of not less than 90 days and a
20 mandatory minimum fine of \$1,000, notwithstanding any other
21 provision of law.

22 (3) [If the violation of subsection (a) materially
23 contributes to any serious bodily injury suffered by the
24 victim, any person violating subsection (a) commits a
25 misdemeanor of the first degree and shall, upon conviction,
26 be sentenced to pay a fine of not more than \$10,000 and to
27 imprisonment for not less than 90 days nor more than five
28 years.] If the victim dies, any person violating subsection
29 (a) commits a felony of the third degree and the sentencing
30 court shall order the person to serve a minimum term of

1 imprisonment of not less than one year and a mandatory
2 minimum fine of \$2,500, notwithstanding any other provision
3 of law.

4 [(4) If the violation of subsection (a) materially
5 contributes to the death of the victim, any person violating
6 subsection (a) commits a felony of the third degree and
7 shall, upon conviction, be sentenced to pay a fine of not
8 more than \$15,000 and to imprisonment for not less than one
9 year nor more than seven years.]

10 (c) Authority of sentencing court.--There shall be no
11 authority in any court to impose on an offender to which this
12 section is applicable any lesser sentence than provided for in
13 subsection [(b)(3) or (4)] (b)(2) or (3) or to place such
14 offender on probation or to suspend sentence. Sentencing
15 guidelines promulgated by the Pennsylvania Commission on
16 Sentencing shall not supersede the mandatory sentences provided
17 in this section.

18 (d) Definitions.--As used in this section, the term "serious
19 bodily injury" means any bodily injury which creates a
20 substantial risk of death or which causes serious, permanent
21 disfigurement or protracted loss or impairment of the function
22 of any bodily member or organ.

23 Section 4 2. This act shall take effect in 60 days.

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