

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 952 Session of
1999

INTRODUCED BY MICOZZIE, ADOLPH, WRIGHT, FICHTER, GANNON, MELIO,
GIGLIOTTI, SCHRODER, DEMPSEY, CIVERA, PESCI, SATHER, BARD,
L. I. COHEN, CORRIGAN, DRUCE, EGOLF, GEIST, GODSHALL, HARHAI,
KENNEY, LEDERER, S. MILLER, ROSS, RUBLEY, SAINATO, SAYLOR,
SCHULER, SEMMEL, S. H. SMITH, E. Z. TAYLOR, J. TAYLOR,
THOMAS, TRUE, TULLI, WILLIAMS, WOGAN AND ZIMMERMAN,
MARCH 22, 1999

REFERRED TO COMMITTEE ON INSURANCE, MARCH 22, 1999

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for required financial
3 responsibility and increasing penalties.

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

6 Section 1. Section 1786(d) and (f) of Title 75 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 1786. Required financial responsibility.

9 * * *

10 (d) Suspension of registration and operating privilege.--The
11 Department of Transportation shall suspend the registration of a
12 vehicle for a period of three months for a first offense, four
13 months for a second offense or five months for a third or
14 subsequent offense if it determines the required financial
15 responsibility was not secured as required by this chapter and
16 shall suspend the operating privilege of the owner or registrant

1 for a period of three months for a first offense, four months
2 for a second offense or five months for a third or subsequent
3 offense if the department determines that the owner or
4 registrant has operated or permitted the operation of the
5 vehicle without the required financial responsibility. The
6 operating privilege shall not be restored until the restoration
7 fee for operating privilege provided by section 1960 (relating
8 to reinstatement of operating privilege or vehicle registration)
9 is paid. Whenever the department revokes or suspends the
10 registration of any vehicle under this chapter, the department
11 shall not restore the registration until the vehicle owner
12 furnishes proof of financial responsibility in the form of a
13 minimum of six months of pre-paid insurance and in any other [in
14 a] manner determined by the department and submits an
15 application for registration to the department, accompanied by
16 the fee for restoration of registration provided by section
17 1960. This subsection shall not apply in the following
18 circumstances:

19 (1) The owner or registrant proves to the satisfaction
20 of the department that the lapse in financial responsibility
21 coverage was for a period of less than 31 days and that the
22 owner or registrant did not operate or permit the operation
23 of the vehicle during the period of lapse in financial
24 responsibility.

25 (2) The owner or registrant is a member of the armed
26 services of the United States, the owner or registrant has
27 previously had the financial responsibility required by this
28 chapter, financial responsibility had lapsed while the owner
29 or registrant was on temporary, emergency duty and the
30 vehicle was not operated during the period of lapse in

1 financial responsibility. The exemption granted by this
2 paragraph shall continue for 30 days after the owner or
3 registrant returns from duty as long as the vehicle is not
4 operated until the required financial responsibility has been
5 established.

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

10 * * *

11 (f) Operation of a motor vehicle without required financial
12 responsibility.--Any owner of a motor vehicle for which the
13 existence of financial responsibility is a requirement for its
14 legal operation shall not operate the motor vehicle or permit it
15 to be operated upon a highway of this Commonwealth without the
16 financial responsibility required by this chapter. In addition
17 to the penalties provided by subsection (d), any person who
18 fails to comply with this subsection as a first offense commits
19 a summary offense and shall, upon conviction, be sentenced to
20 pay a fine of not less than \$300[.] or more than \$500, or as a
21 second offense commits a misdemeanor of the third degree and
22 shall, upon conviction, be sentenced to pay a fine of \$1,000, or
23 as a third or subsequent offense commits a misdemeanor of the
24 third degree and shall, upon conviction, be sentenced to pay a
25 fine of \$2,000. In the case of a person who fails to comply with
26 this subsection as a first offense, the sentencing judge or
27 district justice may substitute a period of supervised community
28 service in place of any portion of the fine which exceeds \$300.

29 * * *

30 Section 2. This act shall take effect in 60 days.