

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 873 Session of  
2003

INTRODUCED BY GEIST, STERN, CAPPELLI, CIVERA, CREIGHTON,  
FRANKEL, HARHAI, HERSHEY, HESS, HORSEY, LaGROTTA, MANN,  
MARSICO, SATHER, E. Z. TAYLOR, THOMAS, WATSON, WOJNAROSKI,  
MAHER AND HARPER, MARCH 13, 2003

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF  
REPRESENTATIVES, AS AMENDED, JUNE 9, 2004

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for suspension of operating  
3 privilege and for careless driving.

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

6 ~~Section 1. Section 1532(a) of Title 75 of the Pennsylvania~~ <—  
7 ~~Consolidated Statutes, amended October 4, 2002 (P.L. 845,~~  
8 ~~No.123), is amended to read:~~

9 ~~§ 1532. Suspension of operating privilege.~~

10 ~~(a) One year suspension. The department shall suspend the~~  
11 ~~operating privilege of any driver for one year upon receiving a~~  
12 ~~certified record of the driver's conviction of or an~~  
13 ~~adjudication of delinquency based on any of the following~~  
14 ~~offenses:~~

15 ~~(1) Any felony in the commission of which a court~~  
16 ~~determines that a vehicle was essentially involved.~~

~~(3) Any violation of the following provisions:~~

~~Section 3714 (relating to careless driving) when the violation causes the death of another person.~~

~~Section 3735.1 (relating to aggravated assault by vehicle while driving under the influence).~~

~~Section 3742 (relating to accidents involving death or personal injury).~~

~~Section 3742.1 (relating to accidents involving death or personal injury while not properly licensed).~~

~~Section 7111 (relating to dealing in titles and plates for stolen vehicles).~~

~~Section 7121 (relating to false application for certificate of title or registration).~~

~~Section 7122 (relating to altered, forged or counterfeit documents and plates).~~

~~\* \* \*~~

~~Section 2. Section 3714 of Title 75 is amended to read:~~

SECTION 1. SECTIONS 1532(B)(1), 1535(A) AND 3714 OF TITLE 75 <—  
OF THE PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ:  
§ 1532. SUSPENSION OF OPERATING PRIVILEGE.

~~\* \* \*~~

(B) SUSPENSION.--

(1) THE DEPARTMENT SHALL SUSPEND THE OPERATING PRIVILEGE  
OF ANY DRIVER FOR SIX MONTHS UPON RECEIVING A CERTIFIED  
RECORD OF THE DRIVER'S CONVICTION OF OR AN ADJUDICATION OF  
DELINQUENCY BASED ON ANY OFFENSE UNDER THE FOLLOWING  
PROVISIONS:

SECTION 3367 (RELATING TO RACING ON HIGHWAYS).

SECTION 3714(B) (RELATING TO CARELESS DRIVING).

SECTION 3734 (RELATING TO DRIVING WITHOUT LIGHTS TO

1           AVOID IDENTIFICATION OR ARREST).

2           SECTION 3736 (RELATING TO RECKLESS DRIVING).

3           SECTION 3743 (RELATING TO ACCIDENTS INVOLVING DAMAGE  
4           TO ATTENDED VEHICLE OR PROPERTY).

5           \* \* \*

6   § 1535. SCHEDULE OF CONVICTIONS AND POINTS.

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

14	SECTION NUMBER	OFFENSE	POINTS
15	1512	VIOLATION OF RESTRICTION ON	
16		DRIVER'S LICENSE.	2
17	1571	VIOLATION CONCERNING LICENSE.	3
18	3102	FAILURE TO OBEY POLICEMAN OR	
19		AUTHORIZED PERSON.	2
20	3112(A)(3)(I) OR	FAILURE TO STOP FOR A RED LIGHT.	3
21	(II)		
22	3114(A)(1)	FAILURE TO STOP FOR A FLASHING	
23		RED LIGHT.	3
24	3302	FAILURE TO YIELD HALF OF ROADWAY	
25		TO ONCOMING VEHICLE.	3
26	3303	IMPROPER PASSING.	3
27	3304	OTHER IMPROPER PASSING.	3
28	3305	OTHER IMPROPER PASSING.	3
29	3306(A)(1)	OTHER IMPROPER PASSING.	4
30	3306(A)(2)	OTHER IMPROPER PASSING.	3

1	3306(A)(3)	OTHER IMPROPER PASSING.	3
2	3307	OTHER IMPROPER PASSING.	3
3	3310	FOLLOWING TOO CLOSELY.	3
4	3321	FAILURE TO YIELD TO DRIVER ON THE	
5		RIGHT AT INTERSECTION.	3
6	3322	FAILURE TO YIELD TO ONCOMING	
7		DRIVER WHEN MAKING LEFT TURN.	3
8	3323(B)	FAILURE TO STOP FOR STOP SIGN.	3
9	3323(C)	FAILURE TO YIELD AT YIELD SIGN.	3
10	3324	FAILURE TO YIELD WHEN ENTERING OR	
11		CROSSING ROADWAY BETWEEN INTER-	
12		SECTIONS.	3
13	3332	IMPROPER TURNING AROUND.	3
14	3341(A)	FAILURE TO OBEY SIGNAL INDICATING	
15		APPROACH OF TRAIN.	2
16	3341(B)	FAILURE TO COMPLY WITH CROSSING	
17		GATE OR BARRIER.	4
18		(AND 30 DAYS' SUSPENSION)	
19	3342(B) OR (E)	FAILURE TO STOP AT RAILROAD	
20		CROSSINGS.	4
21	3344	FAILURE TO STOP WHEN ENTERING FROM	
22		ALLEY, DRIVEWAY OR BUILDING.	3
23	3345(A)	FAILURE TO STOP FOR SCHOOL BUS	
24		WITH FLASHING RED LIGHTS.	5
25		(AND 60 DAYS' SUSPENSION)	
26	3361	DRIVING TOO FAST FOR CONDITIONS.	2
27	3362	EXCEEDING MAXIMUM SPEED.--OVER LIMIT:	
28		6-10	2
29		11-15	3
30		16-25	4

1		26-30	5
2		31-OVER	5
3		(AND DEPARTMENTAL HEARING	
4		AND SANCTIONS PROVIDED	
5		UNDER SECTION 1538(D))	
6	3365(B)	EXCEEDING SPECIAL SPEED LIMIT	
7		IN SCHOOL ZONE.	3
8	3365(C)	EXCEEDING SPECIAL SPEED LIMIT	
9		FOR TRUCKS ON DOWNGRADES.	3
10	3542(A)	FAILURE TO YIELD TO PEDESTRIAN IN	
11		CROSSWALK.	2
12	3547	FAILURE TO YIELD TO PEDESTRIAN ON	
13		SIDEWALK.	3
14	3549(A)	FAILURE TO YIELD TO BLIND	
15		PEDESTRIAN.	3
16	3702	IMPROPER BACKING.	3
17	[3714] <u>3714(A)</u>	CARELESS DRIVING.	3
18	3745	LEAVING SCENE OF ACCIDENT	
19		INVOLVING PROPERTY DAMAGE ONLY.	4

20 \* \* \*

21 § 3714. Careless driving.

22 (A) GENERAL RULE.--Any person who drives a vehicle in <—  
23 careless disregard for the safety of persons or property is  
24 guilty of careless driving, a summary offense. If the person who <—  
25 violates this section SUMMARY OFFENSE. <—

26 (B) UNINTENTIONAL DEATH.--IF THE PERSON WHO VIOLATES THIS  
27 SECTION unintentionally causes the death of another person as a  
28 result of the violation, the person shall, upon conviction, be  
29 sentenced to pay a fine of \$500.

30 Section 3 2. This act shall take effect in 60 days. <—