

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 RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 28, 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. Sections ~~1532(b)(1)~~ 1532(B), 1535(a) and 3714 of <—
7 Title 75 of the Pennsylvania Consolidated Statutes are amended
8 to read:

9 § 1532. Suspension of operating privilege.

10 * * *

11 (b) Suspension.--

12 (1) The department shall suspend the operating privilege
13 of any driver for six months upon receiving a certified
14 record of the driver's conviction of or an adjudication of
15 delinquency based on any offense under the following
16 provisions:

17 Section 3367 (relating to racing on highways).

1 Section 3714(b) (relating to careless driving).

2 Section 3734 (relating to driving without lights to
3 avoid identification or arrest).

4 Section 3736 (relating to reckless driving).

5 Section 3743 (relating to accidents involving damage
6 to attended vehicle or property).

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8 (2) THE DEPARTMENT SHALL SUSPEND THE OPERATING PRIVILEGE
9 OF ANY DRIVER FOR SIX MONTHS UPON RECEIVING A CERTIFIED
10 RECORD OF THE DRIVER'S CONVICTION OF A SUBSEQUENT OFFENSE
11 UNDER SECTION 1501(A) (RELATING TO DRIVERS REQUIRED TO BE
12 LICENSED) IF THE PRIOR OFFENSE OCCURRED WITHIN FIVE YEARS OF
13 THE VIOLATION DATE OF THE SUBSEQUENT OFFENSE.

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14 (3) THE DEPARTMENT SHALL SUSPEND THE OPERATING PRIVILEGE
15 OF ANY DRIVER FOR 12 MONTHS UPON RECEIVING A CERTIFIED RECORD
16 OF THE DRIVER'S CONVICTION OF SECTION 3733 (RELATING TO
17 FLEEING OR ATTEMPTING TO ELUDE POLICE OFFICER) OR A
18 SUBSTANTIALLY SIMILAR OFFENSE REPORTED TO THE DEPARTMENT
19 UNDER ARTICLE III OF SECTION 1581 (RELATING TO DRIVER'S
20 LICENSE COMPACT), OR AN ADJUDICATION OF DELINQUENCY BASED ON
21 SECTION 3733. THE DEPARTMENT SHALL SUSPEND THE OPERATING
22 PRIVILEGE OF ANY DRIVER FOR SIX MONTHS UPON RECEIVING A
23 CERTIFIED RECORD OF A CONSENT DECREE GRANTED UNDER 42 PA.C.S.
24 CH. 63 (RELATING TO JUVENILE MATTERS) BASED ON SECTION 3733.

25 (4) THE DEPARTMENT SHALL SUSPEND THE OPERATING PRIVILEGE
26 OF ANY DRIVER FOR THREE MONTHS UPON RECEIVING A CERTIFIED
27 RECORD OF THE DRIVER'S CONVICTION OF SECTION 1371 (RELATING
28 TO OPERATION FOLLOWING SUSPENSION OF REGISTRATION) OR 3718
29 (RELATING TO MINOR PROHIBITED FROM OPERATING WITH ANY ALCOHOL
30 IN SYSTEM) OR AN ADJUDICATION OF DELINQUENCY BASED ON SECTION

1 1371.

2 (5) THE DEPARTMENT SHALL SUSPEND THE OPERATING PRIVILEGE
3 OF ANY DRIVER FOR THREE MONTHS UPON RECEIVING A CERTIFIED
4 RECORD OF THE DRIVER'S CONVICTION OF OR AN ADJUDICATION OF
5 DELINQUENCY BASED ON SECTION 3714(C).

6 * * *

7 § 1535. Schedule of convictions and points.

8 (a) General rule.--A point system for driver education and
9 control is hereby established which is related to other
10 provisions for use, suspension and revocation of the operating
11 privilege as specified under this title. Every driver licensed
12 in this Commonwealth who is convicted of any of the following
13 offenses shall be assessed points as of the date of violation in
14 accordance with the following schedule:

15	Section Number	Offense	Points
16	1512	Violation of restriction on	
17		driver's license.	2
18	1571	Violation concerning license.	3
19	3102	Failure to obey policeman or	
20		authorized person.	2
21	3112(a)(3)(i) or	Failure to stop for a red light.	3
22	(ii)		
23	3114(a)(1)	Failure to stop for a flashing	
24		red light.	3
25	3302	Failure to yield half of roadway	
26		to oncoming vehicle.	3
27	3303	Improper passing.	3
28	3304	Other improper passing.	3
29	3305	Other improper passing.	3
30	3306(a)(1)	Other improper passing.	4

1	3306(a)(2)	Other improper passing.	3
2	3306(a)(3)	Other improper passing.	3
3	3307	Other improper passing.	3
4	3310	Following too closely.	3
5	3321	Failure to yield to driver on the	
6		right at intersection.	3
7	3322	Failure to yield to oncoming	
8		driver when making left turn.	3
9	3323(b)	Failure to stop for stop sign.	3
10	3323(c)	Failure to yield at yield sign.	3
11	3324	Failure to yield when entering or	
12		crossing roadway between inter-	
13		sections.	3
14	3332	Improper turning around.	3
15	3341(a)	Failure to obey signal indicating	
16		approach of train.	2
17	3341(b)	Failure to comply with crossing	
18		gate or barrier.	4
19		(and 30 days' suspension)	
20	3342(b) or (e)	Failure to stop at railroad	
21		crossings.	4
22	3344	Failure to stop when entering from	
23		alley, driveway or building.	3
24	3345(a)	Failure to stop for school bus	
25		with flashing red lights.	5
26		(and 60 days' suspension)	
27	3361	Driving too fast for conditions.	2
28	3362	Exceeding maximum speed.--Over Limit:	
29		6-10	2
30		11-15	3

1		16-25	4
2		26-30	5
3		31-over	5
4		(and departmental hearing	
5		and sanctions provided	
6		under section 1538(d))	
7	3365(b)	Exceeding special speed limit	
8		in school zone.	3
9	3365(c)	Exceeding special speed limit	
10		for trucks on downgrades.	3
11	3542(a)	Failure to yield to pedestrian in	
12		crosswalk.	2
13	3547	Failure to yield to pedestrian on	
14		sidewalk.	3
15	3549(a)	Failure to yield to blind	
16		pedestrian.	3
17	3702	Improper backing.	3
18	[3714] <u>3714(a)</u>	Careless driving.	3
19	3745	Leaving scene of accident	
20		involving property damage only.	4

21 * * *

22 § 3714. Careless driving.

23 (a) General rule.--Any person who drives a vehicle in
 24 careless disregard for the safety of persons or property is
 25 guilty of careless driving, a 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 (C) SERIOUS BODILY INJURY.--IF THE PERSON WHO VIOLATES THIS <—

1 SECTION UNINTENTIONALLY CAUSES THE SERIOUS BODILY INJURY OF
2 ANOTHER PERSON AS A RESULT OF THE VIOLATION, THE PERSON SHALL,
3 UPON CONVICTION, BE SENTENCED TO PAY A FINE OF \$250.

4 (D) DEFINITION.--AS USED IN THIS SECTION, "SERIOUS BODILY
5 INJURY" MEANS ANY BODILY INJURY WHICH CREATES A SUBSTANTIAL RISK
6 OF DEATH OR WHICH CAUSES SERIOUS, PERMANENT DISFIGUREMENT OR
7 PROTRACTED LOSS OR IMPAIRMENT OF THE FUNCTION OF ANY BODILY
8 MEMBER OR ORGAN.

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