
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1323 Session of
2009

INTRODUCED BY WHEATLEY, BRENNAN, KIRKLAND, McGEEHAN, MELIO,
MYERS, PARKER, PAYTON, PRESTON, SCAVELLO, WANSACZ, WATERS AND
YOUNGBLOOD, APRIL 22, 2009

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 22, 2009

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for occupational limited license.

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

5 Section 1. Section 1553(d)(10) and (d.1) of Title 75 of the
6 Pennsylvania Consolidated Statutes are amended to read:

7 § 1553. Occupational limited license.

8 * * *

9 (d) Unauthorized issuance.--The department shall prohibit
10 issuance of an occupational limited license to:

11 * * *

12 (10) [Any] Except as set forth in subsection (d.1) or
13 (d.2), any person whose operating privilege has been
14 suspended pursuant to [either section 13(m) of the act of
15 April 14, 1972 (P.L.233, No.64), known as The Controlled
16 Substance, Drug, Device and Cosmetic Act, or] section 1532(c)
17 (relating to suspension of operating privilege) unless the

1 suspension imposed has been fully served.

2 * * *

3 (d.1) Adjudication eligibility.--[An individual who has been
4 convicted of an offense under section 3802 (relating to driving
5 under influence of alcohol or controlled substance) and does not
6 have a prior offense as defined in section 3806(a) (relating to
7 prior offenses)] The following individuals shall be eligible for
8 an occupational limited license only if the individual has
9 served 60 days of the suspension imposed for the offense[.]:

10 (1) An individual who has been convicted of an offense
11 under section 3802 and does not have a prior offense as
12 defined in section 3806(a).

13 (2) An individual whose operating privilege has been
14 suspended under section 1532(c) for a conviction of an
15 offense involving the possession, sale, delivery, offering
16 for sale, holding for sale or giving away of any controlled
17 substance under the laws of the United States, this
18 Commonwealth or any other state and does not have a prior
19 offense. For purposes of this paragraph, any conviction under
20 any Federal or state law relating to any controlled substance
21 or other drug shall constitute a prior offense if it related
22 to the type of conduct against which a subsequent offense is
23 directed.

24 * * *

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