

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2199 Session of 2012

INTRODUCED BY STEPHENS, BOBACK, GEORGE, HESS, HORNAMAN, KNOWLES, MAJOR, MILLARD, MURT, ROCK, SWANGER, TALLMAN, TOEPEL, VULAKOVICH, WATSON, GEIST, MILNE AND FARRY, FEBRUARY 14, 2012

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, MAY 7, 2012

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing FOR SCHEDULE OF CONVICTIONS AND
3 POINTS AND for duty of driver in emergency response areas. ←

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

6 ~~Section 1. Section 3327(a), (b) and (b.1) of Title 75 of the~~ ←
7 ~~Pennsylvania Consolidated Statutes are amended and the section~~
8 ~~is amended by adding a subsection to read:~~

9 SECTION 1. SECTION 1535(A) OF TITLE 75 OF THE PENNSYLVANIA ←
10 CONSOLIDATED STATUTES IS AMENDED TO READ:

11 § 1535. SCHEDULE OF CONVICTIONS AND POINTS.

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

1 ACCORDANCE WITH THE FOLLOWING SCHEDULE:

2	SECTION NUMBER	OFFENSE	POINTS
3	1512	VIOLATION OF RESTRICTION ON	
4		DRIVER'S LICENSE.	2
5	1571	VIOLATION CONCERNING LICENSE.	3
6	3102	FAILURE TO OBEY POLICEMAN OR	
7		AUTHORIZED PERSON.	2
8	3112 (A) (3) (I)	FAILURE TO STOP FOR A RED	
9	OR (II)	LIGHT.	3
10	3114 (A) (1)	FAILURE TO STOP FOR A FLASHING	
11		RED LIGHT.	3
12	3302	FAILURE TO YIELD HALF OF	
13		ROADWAY TO ONCOMING VEHICLE.	3
14	3303	IMPROPER PASSING.	3
15	3304	OTHER IMPROPER PASSING.	3
16	3305	OTHER IMPROPER PASSING.	3
17	3306 (A) (1)	OTHER IMPROPER PASSING.	4
18	3306 (A) (2)	OTHER IMPROPER PASSING.	3
19	3306 (A) (3)	OTHER IMPROPER PASSING.	3
20	3307	OTHER IMPROPER PASSING.	3
21	3310	FOLLOWING TOO CLOSELY.	3
22	3321	FAILURE TO YIELD TO DRIVER ON	
23		THE RIGHT AT INTERSECTION.	3
24	3322	FAILURE TO YIELD TO ONCOMING	
25		DRIVER WHEN MAKING LEFT TURN.	3
26	3323 (B)	FAILURE TO STOP FOR STOP SIGN.	3
27	3323 (C)	FAILURE TO YIELD AT YIELD	
28		SIGN.	3
29	3324	FAILURE TO YIELD WHEN ENTERING	3
30		OR CROSSING ROADWAY BETWEEN	

1		INTER-SECTIONS.	
2	<u>3327 (A) (3)</u>	<u>IMPROPER DRIVING IN EMERGENCY</u>	
3		<u>RESPONSE AREA.</u>	<u>2</u>
4	3332	IMPROPER TURNING AROUND.	3
5	3341 (A)	FAILURE TO OBEY SIGNAL	
6		INDICATING APPROACH OF TRAIN.	2
7	3341 (B)	FAILURE TO COMPLY WITH	
8		CROSSING GATE OR BARRIER.	4
9		(AND 30 DAYS' SUSPENSION)	
10	3342 (B) OR (E)	FAILURE TO STOP AT RAILROAD	
11		CROSSINGS.	4
12	3344	FAILURE TO STOP WHEN ENTERING	
13		FROM ALLEY, DRIVEWAY OR	
14		BUILDING.	3
15	3345 (A)	FAILURE TO STOP FOR SCHOOL BUS	
16		WITH FLASHING RED LIGHTS.	5
17		(AND 60 DAYS' SUSPENSION)	
18	3361	DRIVING TOO FAST FOR	
19		CONDITIONS.	2
20	3362	EXCEEDING MAXIMUM SPEED.--OVER	
21		LIMIT:	
22		6-10	2
23		11-15	3
24		16-25	4
25		26-30	5
26		31-OVER	5
27		(AND DEPARTMENTAL HEARING	
28		AND SANCTIONS PROVIDED	
29		UNDER SECTION 1538 (D))	
30	3365 (B)	EXCEEDING SPECIAL SPEED LIMIT	3

1 IN SCHOOL ZONE.

2 (AND 60 DAYS' SUSPENSION

3 FOR A SECOND OR SUBSEQUENT

4 OFFENSE)

5 3365 (C) EXCEEDING SPECIAL SPEED LIMIT

6 FOR TRUCKS ON DOWNGRADES. 3

7 3542 (A) FAILURE TO YIELD TO PEDESTRIAN

8 IN CROSSWALK. 2

9 3547 FAILURE TO YIELD TO PEDESTRIAN

10 ON SIDEWALK. 3

11 3549 (A) FAILURE TO YIELD TO BLIND

12 PEDESTRIAN. 3

13 3702 IMPROPER BACKING. 3

14 3714 (A) CARELESS DRIVING. 3

15 3745 LEAVING SCENE OF ACCIDENT

16 INVOLVING PROPERTY DAMAGE

17 ONLY. 4

18 * * *

19 SECTION 2. SECTION 3327(A), (B) AND (B.1) OF TITLE 75 ARE

20 AMENDED AND THE SECTION IS AMENDED BY ADDING SUBSECTIONS TO

21 READ:

22 § 3327. Duty of driver in emergency response areas.

23 (a) General rule.--When approaching or passing an emergency

24 response area, a person, unless otherwise directed by an

25 emergency service responder, shall:

26 (1) pass in a lane not adjacent to that of the emergency

27 response area, if possible; [or]

28 (2) if passing in a nonadjacent lane is impossible,

29 illegal or unsafe, pass the emergency response area at a

30 careful and prudent reduced speed reasonable for safely

1 passing the emergency response area[.]; or

2 (3) not drive past, around or through a sign or traffic-
3 control device closing a road or highway due to an existing
4 or potentially hazardous condition.

5 (b) Penalty.--

6 (1) Any person violating subsection (a) commits a
7 summary offense and shall, upon conviction, pay a fine of not
8 more than \$250.

9 (2) If a violation of subsection (a)(3) results in the
10 utilization of the services of a first responder or emergency
11 medical or rescue personnel, including towing services, the
12 fine shall be increased to not less than \$250 nor more than
13 \$500.

14 (b.1) Suspension of operating privilege.--The department
15 shall suspend the operating privilege of any person for 90 days
16 upon receiving a certified record of the driver's conviction,
17 adjudication of delinquency or admission into a preadjudication
18 program for a violation of subsection [(a),] (A)(1) AND (2), if ←
19 the certified conviction indicates the violation resulted in
20 serious bodily injury to another person or if the vehicle ←
21 becomes disabled as a result of violating subsection (a)(3). The
22 license shall be surrendered in accordance with section 1540
23 (relating to surrender of license).

24 (b.2) Presumption.--For the purposes of this section, it is
25 presumed that a vehicle became disabled as a result of violating
26 subsection (a)(3) if it was disabled near or in the hazard for
27 which the traffic-control device had been placed absent evidence
28 to the contrary.

29 * * *

30 (D.1) EMERGENCY RESPONSE COSTS.--A PERSON CONVICTED OF ←

1 VIOLATING SUBSECTION (A) (3) SHALL, IN ADDITION TO ANY OTHER
2 SENTENCE IMPOSED OR RESTITUTION ORDERED UNDER 42 PA.C.S. §
3 9721(C) (RELATING TO SENTENCING GENERALLY), BE SENTENCED TO PAY
4 RESTITUTION IN AN AMOUNT EQUAL TO THE COST OF FIRE AND POLICE
5 RESPONSE AND EMERGENCY MEDICAL SERVICE OR EMERGENCY PREPAREDNESS
6 RESPONSE RESULTING FROM THE OFFENSE.

7 * * *

8 Section 2 3. This act shall take effect in 60 days.

