
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1782 Session of
2015

INTRODUCED BY HARPER, LAWRENCE, MURT, COHEN, D. COSTA, CORBIN,
DeLUCA, DUNBAR, ENGLISH, GIBBONS, A. HARRIS, MARSHALL,
McNEILL, MILLARD, MILNE, NEILSON, O'NEILL, READSHAW AND WARD,
JANUARY 12, 2016

REFERRED TO COMMITTEE ON TRANSPORTATION, JANUARY 12, 2016

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in registration of vehicles, providing for
3 suspension of registration upon unpaid tolls.

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

6 Section 1. Title 75 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 1380. Suspension of registration upon unpaid tolls.

9 (a) Suspension of registration.--

10 (1) The department shall suspend the registration of a
11 vehicle upon the notification from a tolling entity that the
12 owner or registrant of the vehicle has either:

13 (i) failed to pay or defaulted in the payment of six
14 or more violations issued under 74 Pa.C.S. § 8116(a)
15 (relating to collection and disposition of tolls and
16 other revenue) or 8117(a)(1) (relating to electronic toll
17 collection) or other laws, regulations, ordinances or

1 other standards applicable to the toll collection or
2 payment requirements for a tolling entity; or

3 (ii) incurred unpaid tolls or administrative fees or
4 costs that collectively total a minimum of \$500,
5 regardless of the number of violations.

6 (2) The suspension under paragraph (1) may not be
7 construed to limit the tolling entity's ability to recoup
8 tolls, administrative fees or costs by any other means
9 available under the law.

10 (b) Notice.--Prior to notifying the department under
11 subsection (c), the tolling entity shall provide the owner or
12 registrant written notice by first class mail of its intent to
13 seek suspension of the vehicle registration under this section
14 and the opportunity to be heard during an administrative
15 proceeding.

16 (c) Notice to the department.--Not sooner than 30 days after
17 mailing the notice under subsection (b), the tolling entity,
18 provided it has entered into an agreement with the department to
19 enforce the provisions of this section, may notify the
20 department electronically in a format prescribed by the
21 department whenever an owner or registrant meets the
22 requirements for suspension under subsection (a)(1). When a
23 tolling entity has provided notice under this subsection and all
24 of the violations are subsequently paid, dismissed, reversed on
25 appeal or canceled, the tolling entity shall notify the
26 department electronically in a format prescribed by the
27 department of the disposition of the violation and shall provide
28 the owner or registrant with a release from the suspension.

29 (d) Period of suspension.--A suspension under subsection (a)
30 shall continue until the department receives notice from the

1 tolling entity that the violations are paid, dismissed, reversed
2 on appeal or canceled or the owner or registrant enters into an
3 agreement with the tolling entity to make installment payments
4 for tolls, administrative fees and costs imposed and pays the
5 fee prescribed in section 1960 (relating to reinstatement of
6 operating privilege or vehicle registration), provided that the
7 suspension may be reimposed by the department if the owner or
8 registrant fails to make regular installment payments.

9 (e) Additional suspension.--The department shall impose an
10 additional period of registration suspension if, subsequent to
11 the issuance of a suspension under subsection (a) but prior to
12 the restoration of the registration, the department is notified
13 by the tolling entity that the owner or registrant has failed to
14 pay, failed to respond or defaulted in the payment of an
15 additional violation issued under 74 Pa.C.S. § 8116(a) or
16 8117(a) (1).

17 (f) Violations outside Commonwealth.--The department shall
18 suspend the registration of a vehicle upon the notification from
19 a tolling entity that has entered into an enforcement agreement
20 with the department as authorized under section 6146 (relating
21 to enforcement agreements) for any toll violation of that state
22 or an authority or for failure to pay any fine or costs imposed
23 in accordance with the laws of the jurisdiction in which the
24 violation occurred. A person who provides proof satisfactory to
25 the department that the full amount of the fine and costs has
26 been forwarded to and received by the other state may not be
27 regarded as having failed to pay for the purposes of this
28 subsection.

29 (g) Documentation.--In any proceeding under this section,
30 documents obtained by the department from a tolling entity or

1 from the appropriate agency of the Commonwealth or another state
2 shall be admissible into evidence to support the department's
3 case. In addition, the department may treat the documents and
4 reports as documents of the department and use any of the
5 methods of storage permitted under the provisions of 42 Pa.C.S.
6 § 6109 (relating to photographic copies of business and public
7 records) and may reproduce the documents in accordance with the
8 provisions of 42 Pa.C.S. § 6103 (relating to proof of official
9 records). The department may certify that it has received or
10 obtained documents and reports from a tolling entity, the
11 Commonwealth or other states, and the certification shall be
12 prima facie proof of the facts contained in the documents and
13 reports.

14 (h) Three-year statute of limitations.--No suspension may be
15 imposed based upon a violation of 74 Pa.C.S. § 8116(a) or
16 8117(a)(1) or a similar provision from another state more than
17 three years after the violation is committed.

18 (i) Collection of out-of-State tolls.--The department or a
19 tolling entity may collect the civil penalties and tolls imposed
20 by an out-of-State tolling entity if the department or tolling
21 entity has entered into a reciprocity agreement that confirms
22 all of the following:

23 (1) The other state or tolling entity has its own
24 effective reciprocal procedures for collecting penalties and
25 tolls imposed by a Commonwealth tolling entity and agrees to
26 collect penalties and tolls of the Commonwealth tolling
27 entity by employing sanctions that include denial of a
28 person's right to register or reregister a motor vehicle.

29 (2) The penalties, exclusive of tolls, claimed by the
30 other state or tolling entity against an owner of a motor

1 vehicle registered in Pennsylvania do not exceed \$100 for a
2 first violation or \$600 for all pending violations.

3 (3) The other state or tolling entity provides due
4 process and appeal protections to avoid the likelihood that a
5 false, mistaken or unjustified claim will be pursued against
6 an owner.

7 (4) An owner of a motor vehicle registered in this
8 Commonwealth may present evidence to the other state or
9 tolling entity by mail, telephone, electronic means or other
10 means to invoke rights of due process, without having to
11 appear personally in the jurisdiction where the violation is
12 alleged to have occurred.

13 (5) The reciprocal collection agreement between the
14 department or a tolling entity and the other state or tolling
15 entity provides that each party may charge the other a fee
16 sufficient to cover the costs of collection services,
17 including costs incurred by the agency that registers motor
18 vehicles.

19 (j) Definition.--As used in this section, the term "tolling
20 entity" means the Pennsylvania Turnpike Commission, an entity
21 authorized to impose and collect tolls in accordance with the
22 laws of this Commonwealth, including 74 Pa.C.S. Ch. 91 (relating
23 to public-private transportation partnerships) or the laws of
24 another state or states and any authorized agent of such an
25 entity.

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