
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1536 Session of
2019

INTRODUCED BY B. MILLER, DALEY, ZIMMERMAN, READSHAW, FRANKEL,
SCHMITT, NEILSON, MENTZER, MADDEN, HILL-EVANS, MALONEY,
STURLA, DIAMOND, RYAN AND MILLARD, JUNE 3, 2019

REFERRED TO COMMITTEE ON TRANSPORTATION, JUNE 3, 2019

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in general provisions, further providing for
3 definitions; in licensing of drivers, further providing for
4 suspension of operating privilege; in rules of the road in
5 general, further providing for the offense of overtaking
6 vehicle on the left; in special vehicles and pedestrians,
7 further providing for penalty for violation of subchapter;
8 and, in miscellaneous provisions, further providing for the
9 offense of careless driving and for the offense of reckless
10 driving.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Section 102 of Title 75 of the Pennsylvania
14 Consolidated Statutes is amended by adding a definition to read:
15 § 102. Definitions.

16 Subject to additional definitions contained in subsequent
17 provisions of this title which are applicable to specific
18 provisions of this title, the following words and phrases when
19 used in this title shall have, unless the context clearly
20 indicates otherwise, the meanings given to them in this section:

21 * * *

1 "Vulnerable highway user." A pedestrian or a person on a
2 self-propelled transportation device, an auxiliary-powered
3 transportation device, an animal, an animal-drawn vehicle or a
4 farm vehicle, and who is lawfully on a highway.

5 * * *

6 Section 2. Sections 1532(a) and (b)(1) and (5), 3303(a)(3),
7 3502 and 3714 of Title 75 are amended to read:

8 § 1532. Suspension of operating privilege.

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

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

16 (3) Any violation of the following provisions:

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

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

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

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

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

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

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

30 * * *

1 (b) Suspension.--

2 (1) The department shall suspend the operating privilege
3 of any driver for six months upon receiving a certified
4 record of the driver's conviction of or an adjudication of
5 delinquency based on any offense under the following
6 provisions:

7 Section 3367 (relating to racing on highways).

8 Section 3714(b) [~~relating to careless driving~~] or
9 (c.1).

10 Section 3734 (relating to driving without lights to
11 avoid identification or arrest).

12 Section 3736 (relating to reckless driving).

13 Section 3743 (relating to accidents involving damage
14 to attended vehicle or property).

15 * * *

16 (5) The department shall suspend the operating privilege
17 of any driver for three months upon receiving a certified
18 record of the driver's conviction of or an adjudication of
19 delinquency based on section 3714(c) or (c.2).

20 * * *

21 § 3303. Overtaking vehicle on the left.

22 (a) General rule.--The following rules shall govern the
23 overtaking and passing of vehicles proceeding in the same
24 direction, subject to the limitations, exceptions and special
25 rules stated in this chapter:

26 * * *

27 (3) The driver of a motor vehicle overtaking a
28 [~~pedalcycle~~] vulnerable highway user proceeding in the same
29 direction shall pass to the left of the [~~pedalcycle~~]
30 vulnerable highway user within not less than four feet at a

1 careful and prudent reduced speed.

2 * * *

3 § 3502. Penalty for violation of subchapter.

4 Any person violating any provision of this subchapter is
5 guilty of a summary offense and shall, upon conviction, be
6 sentenced to pay a fine of [~~\$10~~] \$25.

7 § 3714. Careless driving.

8 (a) General rule.--Any person who drives a vehicle in
9 careless disregard for the safety of persons or property is
10 guilty of careless driving, a summary offense.

11 (b) Unintentional death.--~~[If]~~ Except as provided in
12 subsection (b.1), if the person who violates this section
13 unintentionally causes the death of another person as a result
14 of the violation, the person shall, upon conviction, be
15 sentenced to pay a fine of \$500.

16 (b.1) Death involving a vulnerable highway user.--If the
17 person who violates this section causes the death of a
18 vulnerable highway user as a result of the violation, the person
19 shall, upon conviction, be sentenced to pay a fine of not more
20 than \$5,000.

21 (c) Serious bodily injury.--~~[If]~~ Except as provided in
22 subsection (c.1), if the person who violates this section
23 unintentionally causes the serious bodily injury of another
24 person as a result of the violation, the person shall, upon
25 conviction, be sentenced to pay a fine of \$250.

26 (c.1) Serious bodily injury to a vulnerable highway user.--
27 If the person who violates this section causes the serious
28 bodily injury of a vulnerable highway user as a result of the
29 violation, the person shall, upon conviction, be sentenced to
30 pay a fine of not more than \$2,500.

1 (c.2) Bodily injury to a vulnerable highway user.--If a
2 person who violates this section causes the bodily injury of a
3 vulnerable highway user as a result of the violation, the person
4 shall, upon conviction, be sentenced to pay a fine of not more
5 than \$500.

6 Section 3. Section 3736(b) of Title 75 is amended and the
7 section is amended by adding subsections to read:

8 § 3736. Reckless driving.

9 * * *

10 (b) Penalty.--[Any] Except as provided in subsections (c),
11 (d) and (e), any person who violates this section commits a
12 summary offense and shall, upon conviction, be sentenced to pay
13 a fine of \$200.

14 (c) Death involving a vulnerable highway user.--A person who
15 violates this section and causes the death of a vulnerable
16 highway user as a result of the violation commits a misdemeanor
17 of the first degree and shall, upon conviction, be sentenced to
18 pay a fine of not more than \$10,000.

19 (d) Serious bodily injury to a vulnerable highway user.--A
20 person who violates this section and causes the serious bodily
21 injury of a vulnerable highway user as a result of the violation
22 commits a misdemeanor of the second degree and shall, upon
23 conviction, be sentenced to pay a fine of not more than \$5,000.

24 (e) Bodily injury to a vulnerable highway user.--A person
25 who violates this section and causes the bodily injury of a
26 vulnerable highway user as a result of the violation commits a
27 misdemeanor of the third degree and shall, upon conviction, be
28 sentenced to pay a fine of not more that \$1,000.

29 Section 4. This act shall take effect in 120 days.