
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1856 Session of
2019

INTRODUCED BY MURT, BOBACK, RYAN, JONES, SCHLOSSBERG, STAATS,
DEASY, HILL-EVANS, DeLUCA AND SCHWEYER, SEPTEMBER 23, 2019

REFERRED TO COMMITTEE ON TRANSPORTATION, SEPTEMBER 23, 2019

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in miscellaneous provisions, further providing for
3 the offense of careless driving; establishing the Driver
4 Distraction Awareness Fund; and providing for additional
5 duties of the Department of Transportation.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 3714 of Title 75 of the Pennsylvania
9 Consolidated Statutes is amended to read:

10 § 3714. Careless driving.

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

14 (b) Unintentional death.--If the person who violates this
15 section unintentionally causes the death of another person as a
16 result of the violation, the person shall, upon conviction, be
17 sentenced to pay a fine of \$500.

18 (c) Serious bodily injury.--If the person who violates this
19 section unintentionally causes the serious bodily injury of

1 another person as a result of the violation, the person shall,
2 upon conviction, be sentenced to pay a fine of \$250.

3 (c.1) Additional fine for distracted driver.--

4 (1) Any person who violates this section and at the time
5 of the violation is distracted by any task or item,
6 including, but not limited to, any of the following, shall,
7 in addition to any other penalty imposed, be sentenced to pay
8 a fine of \$50:

9 (i) An interactive wireless communications device.

10 (ii) An electronic, electrical or mechanical device.

11 (iii) A personal grooming device.

12 (iv) Food.

13 (v) Drink.

14 (vi) Printed material.

15 (2) The provisions of this subsection shall not apply to
16 any person unless the person is convicted under subsection
17 (a) for a violation that occurred at the same time. No costs
18 as described under 42 Pa.C.S. § 1725.1 (relating to costs)
19 may be imposed on account of an increased fine under this
20 subsection. Application of this subsection does not
21 constitute a moving violation.

22 (3) Notwithstanding any other provision of law to the
23 contrary, fines collected under this subsection shall be paid
24 to the Commonwealth for deposit into the Driver Distraction
25 Awareness Fund.

26 (c.2) Report.--The department shall submit to the General
27 Assembly a report on the effects of subsection (c.1) by August
28 31, 2020.

29 (d) Definition.--As used in this section, the term
30 "distracted" means having a person's attention diverted from

1 operating a vehicle.

2 Section 2. Title 75 is amended by adding a section to read:

3 § 3714.1. Driver Distraction Awareness Fund.

4 (a) Fund established.--The Driver Distraction Awareness Fund
5 is established in the Motor License Fund as a special restricted
6 receipts account. The fund shall consist of the fines deposited
7 under section 3714(c.1) (relating to careless driving), Federal
8 funds granted for careless driving prevention and any money
9 donated to the fund. The fund shall be used solely for the
10 purpose of the educational program established in subsection
11 (b). Money in the fund is appropriated to the department for the
12 purposes of this section.

13 (b) Educational program.--The department shall establish an
14 educational program to begin immediately to alert the public to
15 the requirements and penalties under section 3714(c.1). The
16 program shall also encourage motorists to eliminate distractions
17 in the vehicle as a means of reducing the risk of harm to
18 themselves and others.

19 Section 3. This act shall take effect in 60 days.