
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 80 Session of
2019

INTRODUCED BY WHEATLEY, A. DAVIS, HARRIS, BURGOS, KINSEY,
McCLINTON, DeLUCA AND HOWARD, JULY 16, 2019

REFERRED TO COMMITTEE ON TRANSPORTATION, JULY 16, 2019

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in licensing of drivers, providing for amnesty
3 program for traffic violations.

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

6 Section 1. Chapter 15 of Title 75 is amended by adding a
7 subchapter to read:

8 SUBCHAPTER E

9 AMNESTY PROGRAM FOR TRAFFIC VIOLATIONS

10 Sec.

11 1591. Definitions.

12 1592. Amnesty program.

13 1593. Program requirements.

14 1594. Regulations.

15 1595. Use of revenue.

16 1596. Proceedings relating to amnesty violations barred.

17 § 1591. Definitions.

18 The following words and phrases when used in this subchapter

1 shall have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "Court." The court in which the original fine was imposed on
4 the individual who committed an eligible violation of this
5 title.

6 "Program." The amnesty program established under section
7 1592 (relating to amnesty program).
8 § 1592. Amnesty program.

9 (a) Establishment.--The department, in consultation with the
10 Administrative Office of Pennsylvania Courts, shall establish a
11 driver's license amnesty program. The amnesty period shall begin
12 on the effective date of this section and end 12 months after
13 the effective date of this section.

14 (b) Purposes.--The program shall provide individuals the
15 opportunity to have their operating privileges restored upon
16 payment in full of any court-ordered obligations and upon
17 completing any suspension of operating privileges required for
18 the underlying violations.

19 (c) Duties.--The department, in consultation with the
20 Administrative Office of Pennsylvania Courts, shall:

21 (1) Make a reasonable effort to determine if an
22 individual owes court-ordered obligations which resulted in a
23 suspension of the individual's operating privileges under
24 section 1553(a) and (d) (relating to occupational limited
25 license).

26 (2) Notify the individual of court-ordered obligations.

27 (3) Provide information as to which court the individual
28 must make payment.

29 (4) Require the department to restore the operating
30 privileges of an individual upon satisfactorily meeting the

1 requirements of the program.

2 (d) Eligibility.--An individual who participates in the
3 program shall not be eligible to participate in a comparable
4 amnesty program if one is subsequently established. The program
5 shall be available to an individual who meets the following
6 criteria:

7 (1) The individual's operating privileges have been
8 indefinitely suspended under section 1553(a) or (d) prior to
9 the effective date of this subsection.

10 (2) The individual's operating privileges have been
11 suspended for a conviction of section 1543(a) (relating to
12 driving while operating privilege is suspended or revoked)
13 resulting from an indefinite suspension under section 1553(a)
14 or (d) prior to the effective date of this section.

15 (3) The individual has served any operating privilege
16 suspension required by the underlying offense which resulted
17 in violation of section 1553(a) or (d).

18 (e) Prohibitions.--The following shall apply:

19 (1) An individual shall be prohibited from receiving
20 amnesty for convictions for violations committed after the
21 effective date of this subsection.

22 (2) Any payment regarding a fine, fee or penalty that
23 was made prior to the effective date of this subsection shall
24 be ineligible for a refund under this subchapter.

25 (f) Reinstatement.--The department shall not be required to
26 reinstate the operating privilege of an individual under this
27 subchapter if the department is authorized under this title to
28 suspend the operating privilege of the individual for other
29 violations of this title.

30 (g) Compliance.--The department shall not be required to

1 restore the operating privilege of an individual under this
2 subchapter until the individual has complied with section 1593
3 (relating to program requirements).

4 § 1593. Program requirements.

5 (a) Form.--An individual who seeks to participate in the
6 program shall respond to the court pursuant to the instructions
7 in a restoration letter which shall be provided by the
8 department.

9 (b) Satisfaction of payments owed.--The individual is
10 required to pay 100% of the original penalty and any other
11 court-ordered obligations imposed under the applicable laws of
12 this Commonwealth.

13 (c) Requirements.--In addition to the requirements under
14 section 1960 (relating to reinstatement of operating privilege
15 or vehicle registration), an individual applying for the program
16 shall:

17 (1) attach to the petition a certified copy of the
18 drivers history; and

19 (2) perform one of the following:

20 (i) Pay all court-ordered obligations immediately or
21 in a single remittance.

22 (ii) If an individual is unable to pay all
23 obligations under subparagraph (i), the individual shall
24 either:

25 (A) pay in installments all court-ordered
26 obligations after a hearing conducted by the issuing
27 authority to determine the individual's ability to
28 pay and the issuance of an order providing for
29 installment payments; or

30 (B) notwithstanding 42 Pa.C.S. § 1520(a)

1 (relating to adjudication alternative program),
2 complete a court-ordered public service or other
3 adjudication alternative program under 42 Pa.C.S. §
4 1520(b).

5 (d) Proof of financial responsibility.--Notwithstanding
6 section 1783 (relating to proof of financial responsibility
7 before restoring operating privilege or registration), before
8 restoring operating privilege, the department shall require an
9 individual participating in the program to provide the
10 department with:

11 (1) proof of financial responsibility; or

12 (2) in the case of an individual who does not own a
13 motor vehicle currently registered in this Commonwealth, a
14 signed statement certifying that the individual does not own
15 a motor vehicle currently registered in this Commonwealth.

16 (e) Certification.--The court shall certify to the
17 department that an individual has satisfied the amounts owed
18 under the program and is eligible to have the individual's
19 operating privilege reinstated.

20 § 1594. Regulations.

21 (a) Promulgation.--The department, in consultation with the
22 Administrative Office of Pennsylvania Courts, may promulgate
23 regulations to implement the provisions of this subchapter.

24 (b) Guidelines.--The department shall develop written
25 guidelines for the implementation of this subchapter. The
26 guidelines shall be in effect until the department promulgates
27 regulations for the implementation of the provisions of this
28 subchapter.

29 § 1595. Use of revenue.

30 All revenue received by the court pursuant to the program

1 shall be distributed in accordance with law.
2 § 1596. Proceedings relating to amnesty violations barred.
3 Participation in the program is conditioned upon the
4 individual's agreement that the right to protest or pursue an
5 administrative or judicial proceeding against the department
6 with regard to violations listed on the amnesty request is
7 barred.

8 Section 2. This act shall take effect as follows:

9 (1) The following shall take effect immediately:

10 (i) The addition of 75 Pa.C.S. § 1594(b).

11 (ii) This section.

12 (2) The remainder of this act shall take effect in 180
13 days.