

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1048 Session of
2020

INTRODUCED BY STEFANO, COSTA, BARTOLOTTA, BLAKE, BREWSTER,
BROWNE, COLLETT, FONTANA, HUGHES, KEARNEY, KILLION, SCHWANK,
TARTAGLIONE AND YUDICHAK, MARCH 11, 2020

REFERRED TO TRANSPORTATION, MARCH 11, 2020

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in licensing of drivers, further providing for
3 suspension of operating privilege for failure to respond to
4 citation; in fees, further providing for reinstatement of
5 operating privilege or vehicle registration; and, in
6 penalties and disposition of fines, further providing for
7 inability to pay fine and costs.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Sections 1533(a), (c) and (d), 1960 and 6504(a)
11 of Title 75 of the Pennsylvania Consolidated Statutes are
12 amended to read:

13 § 1533. Suspension of operating privilege for failure to
14 respond to citation.

15 (a) Violations within Commonwealth.--[The department shall
16 suspend the operating privilege of any person who has failed to
17 respond to a citation or summons to appear before an issuing
18 authority or a court of competent jurisdiction of this
19 Commonwealth for any violation of this title, other than
20 parking, or who has failed to pay any fine, costs or restitution

1 imposed by an issuing authority or such courts for violation of
2 this title, other than parking, upon being duly notified by an
3 issuing authority or a court of this Commonwealth.] The
4 department shall suspend the operating privilege of any person
5 who, upon being duly notified by an issuing authority or a court
6 of competent jurisdiction of this Commonwealth, has failed to:

7 (1) respond to a citation or summons to appear before
8 the issuing authority or court for any violation of this
9 title, other than parking;

10 (2) pay any fine, costs or restitution imposed by the
11 issuing authority or court for any violation of this title,
12 other than parking; or

13 (3) successfully complete a program of community service
14 as provided under subsection (d)(3).

15 * * *

16 (c) Time for responding to notice.--At least 15 days before
17 an issuing authority or court notifies the department to impose
18 a suspension pursuant to subsection (a), the issuing authority
19 or court shall notify the person in writing of the requirement
20 to respond to the citation and pay all fines, restitution and
21 penalties imposed by the issuing authority or court. The notice
22 shall include information regarding all of the following:

23 (1) The ability to pay fines, costs and restitution by
24 installment payments.

25 (2) The ability to enter and complete a community
26 service requirement in lieu of payment of fines and costs.

27 (d) Period of suspension.--The suspension shall continue
28 until such person [shall respond to the citation, summons or
29 writ, as the case may be, and pay all fines, restitution and
30 penalties imposed or enter into an agreement to make installment

1 payments for the fines, restitution and penalties imposed
2 provided that the suspension may be reimposed by the department
3 if the defendant fails to make regular installment payments and,
4 if applicable, pay the fee prescribed in section 1960 (relating
5 to reinstatement of operating privilege or vehicle
6 registration).] shall:

7 (1) respond to the citation, summons or writ, as the
8 case may be, and pay all fines, restitution and penalties
9 imposed;

10 (2) enter into an agreement to make installment payments
11 for the fines, restitution and penalties imposed, provided
12 that the suspension may be reimposed by the department if the
13 defendant fails to make regular installment payments;

14 (3) enter into a program of community service as
15 approved by the issuing authority or court in lieu of
16 satisfying the requirements under paragraph (1) or (2),
17 provided that the suspension may be reimposed by the
18 department if the defendant fails to complete a program of
19 community service as ordered by the issuing authority or
20 court; or

21 (4) if applicable, pay the fee prescribed in section
22 1960 (relating to reinstatement of operating privilege or
23 vehicle registration).

24 * * *

25 § 1960. Reinstatement of operating privilege or vehicle
26 registration.

27 The department shall charge a fee of \$70 or, if section 1379
28 (relating to suspension of registration upon sixth unpaid
29 parking violation in cities of the first class), 1380 (relating
30 to suspension of registration upon unpaid tolls) or 1786(d)

1 (relating to required financial responsibility) applies, a fee
2 of \$88 to restore a person's operating privilege or the
3 registration of a vehicle following a suspension or revocation.
4 The department shall waive a fee imposed under this section for
5 a person who enters into an agreement for installment payments
6 or a program of community service under section 1533(d) (2) or
7 (3) (relating to suspension of operating privilege for failure
8 to respond to citation).

9 § 6504. Inability to pay fine and costs.

10 (a) Order for installment payments.--Upon plea and proof
11 that a person is unable to pay any fine and costs imposed under
12 this title, a court may, in accordance with 42 Pa.C.S. § 9758
13 (relating to fine), order payment of the fine and costs in
14 installments and shall fix the amounts, times and manner of
15 payment[.] or may order the person to enter into a program of
16 community service under section 1533(d) (3) (relating to
17 suspension of operating privilege for failure to respond to
18 citation) not to exceed 50 hours.

19 * * *

20 Section 2. The amendment of 75 Pa.C.S. §§ 1533(a), (c) and
21 (d), 1960 and 6504(a) shall apply to any person currently under
22 suspension under 75 Pa.C.S. § 1533, regardless of the date of
23 the underlying offense.

24 Section 3. This act shall take effect in 270 days.