

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1128 Session of 2020

INTRODUCED BY BAKER, FARNESE, KILLION, K. WARD, J. WARD, REGAN, MENSCH, STEFANO, ARNOLD, SCAVELLO AND IOVINO, APRIL 23, 2020

AS AMENDED ON THIRD CONSIDERATION, MAY 12, 2020

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in licensing of drivers, providing for declaration
3 of judicial emergencies.

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 § 1533.1. Declaration of judicial emergencies.

9 (a) Judicial emergencies.--Notwithstanding any other
10 provision of this chapter, upon the IN THE EVENT OF A <--
11 declaration of a judicial emergency under Article V of the
12 Constitution of Pennsylvania, a law of this Commonwealth, a rule
13 of court or other judicial order by the Supreme Court or any
14 agency or unit of the unified judicial system exercising a power
15 or performing a duty under 42 Pa.C.S. § 1721 (relating to
16 delegation of powers), the department shall not suspend the
17 operating privilege of a person under section 1533 (relating to
18 suspension of operating privilege for failure to respond to

1 citation) or withhold the renewal of the driver's license of a
2 person under section 1503(a) (relating to persons ineligible for
3 licensing; license issuance to minors; junior driver's license),
4 if the time period for taking the action or making the payment
5 required under section 1533(a) or (b) expires during the <--
6 declared judicial emergency PRIOR TO THE EXPIRATION OF THE <--
7 EARLIEST TO OCCUR OF THE ADDITIONAL 30-DAY PERIODS SPECIFIED
8 UNDER SUBSECTION (B) (1) (I), (II) OR (III).

9 (b) Additional compliance period.--Upon the expiration of a <--
10 declared judicial emergency under subsection (a), a person shall
11 have an additional 30 days to take the action or make the
12 payment required under section 1533(a) or (b). If a person takes
13 the action or makes the payment required under section 1533(a)
14 or (b) within the additional 30 day time period specified under
15 this subsection, the person shall be deemed in compliance with
16 section 1533(a) or (b).

17 (c) Applicability.--

18 (1) This section shall apply to any judicial district
19 for which a judicial emergency is declared. If a Statewide
20 judicial emergency is declared, this section shall apply to
21 all judicial districts.

22 (2) This section shall be retroactive to March 18, 2020.

23 (1) A PERSON SHALL HAVE AN ADDITIONAL 30 DAYS TO TAKE <--
24 THE ACTION OR MAKE THE PAYMENT REQUIRED UNDER SECTION 1533(A)
25 OR (B) AFTER ANY OF THE FOLLOWING, WHICHEVER OCCURS FIRST:

26 (I) THE EXPIRATION OF THE DECLARED JUDICIAL
27 EMERGENCY UNDER SUBSECTION (A).

28 (II) THE JUDICIAL DISTRICT ESTABLISHES A METHOD BY
29 WHICH THE ACTION OR PAYMENT MAY BE COMMENCED BY RULE OF
30 COURT OR OTHER JUDICIAL ORDER DURING THE DECLARED

1 JUDICIAL EMERGENCY.

2 (III) THE EFFECTIVE DATE OF THE JUDICIAL EMERGENCY
3 IF THE JUDICIAL DISTRICT HAS ESTABLISHED A METHOD BY
4 WHICH THE ACTION OR PAYMENT MAY BE COMMENCED BY RULE OF
5 COURT OR OTHER JUDICIAL ORDER PRIOR TO SUCH EFFECTIVE
6 DATE.

7 (2) IF A PERSON TAKES THE ACTION OR MAKES THE PAYMENT
8 REQUIRED UNDER SECTION 1533(A) OR (B) WITHIN THE ADDITIONAL
9 30-DAY PERIODS SPECIFIED UNDER PARAGRAPH (1)(I), (II) OR
10 (III), THE PERSON SHALL BE DEEMED IN COMPLIANCE WITH SECTION
11 1533(A) OR (B).

12 (C) APPLICABILITY.--

13 (1) THIS SECTION SHALL APPLY TO ANY JUDICIAL DISTRICT
14 FOR WHICH A JUDICIAL EMERGENCY IS DECLARED. IF A STATEWIDE
15 JUDICIAL EMERGENCY IS DECLARED, THIS SECTION SHALL APPLY TO
16 ALL JUDICIAL DISTRICTS.

17 (2) THIS SECTION SHALL BE RETROACTIVE TO MARCH 18, 2020.

18 Section 2. This act shall take effect immediately.