
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1278 Session of
2021

INTRODUCED BY WHEATLEY, BURGOS, STURLA, HILL-EVANS, SANCHEZ,
GUZMAN, BRIGGS, A. DAVIS AND KINSEY, APRIL 23, 2021

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 23, 2021

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in licensing of drivers, providing for Relief from
3 Administrative Suspension Program.

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 RELIEF FROM ADMINISTRATIVE SUSPENSION PROGRAM

10 Sec.

11 1591. Definitions.

12 1592. Relief from Administrative Suspension Program.

13 1593. Program requirements.

14 1594. Use of revenue.

15 1595. Proceedings relating to violations barred.

16 § 1591. Definitions.

17 The following words and phrases when used in this subchapter

18 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Court." The issuing authority or court of competent
3 jurisdiction which notified the department of an individual's
4 failure to respond that resulted in the indefinite suspension of
5 that individual's operating privilege under section 1533
6 (relating to suspension of operating privilege for failure to
7 respond to citation).

8 "Program." The Relief from Administrative Suspension Program
9 established under section 1592 (relating to Relief from
10 Administrative Suspension Program).
11 § 1592. Relief from Administrative Suspension Program.

12 (a) Establishment.--The department, in consultation with the
13 Administrative Office of Pennsylvania Courts, shall establish
14 the Relief from Administrative Suspension Program that shall
15 begin on the effective date of this section and end 12 months
16 after the effective date of this section.

17 (b) Purposes.--The program shall permit the department to
18 restore the operating privileges of eligible individuals from
19 suspensions imposed under sections 1533(a), (b) or (d) (relating
20 to suspension of operating privilege for failure to respond to
21 citation), 1543(a) (relating to driving while operating
22 privilege is suspended or revoked) and 1544(a) (relating to
23 additional period of revocation or suspension).

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

26 (1) Review the applications filed for relief under the
27 program and make a determination as to the applicant's
28 eligibility for relief within 30 days of receipt of the
29 application and all other required items.

30 (2) Determine if an applicant has satisfied all court-

1 ordered obligations which resulted in a suspension of the
2 applicant's operating privilege under section 1533(a), (b) or
3 (d).

4 (3) Determine if an applicant was convicted of one or
5 more violations under section 1543(a) that occurred only as
6 the result of a suspension imposed under the authority of
7 section 1533 or 6146 (relating to enforcement agreements) and
8 is currently serving or will serve an operating privilege
9 suspension for a section 1543(a) conviction.

10 (4) Determine whether the granting of relief under the
11 program would result in immediate restoration of the
12 applicant's operating privilege.

13 (5) Prioritize the processing of applications for which
14 the granting of relief will result in an immediate
15 restoration of the applicant's operating privilege.

16 (6) Update eligible applicants' driver's records and
17 restore the operating privilege of applicants as permitted
18 under this title.

19 (d) Eligibility.--The program shall be available to an
20 individual who meets the following criteria:

21 (1) The individual's operating privilege has been
22 indefinitely suspended under section 1533(a), (b) or (d)
23 prior to the effective date of this subsection.

24 (2) The department's records show that the individual's
25 operating privilege will be or is suspended for a conviction
26 under section 1543(a) only as a result of a suspension
27 imposed under the authority of section 1533 or 6146 prior to
28 the effective date of this section.

29 (3) The individual has served any operating privilege
30 suspension required by the underlying offense which resulted

1 in violation of section 1533(a), (b) or (d).

2 (4) The individual has submitted a completed application
3 for relief to the department on a form prescribed by the
4 department. The following items must also be submitted with
5 the application:

6 (i) the restoration fee; and

7 (ii) proof of financial responsibility; or

8 (iii) in the case of an individual who does not own
9 a motor vehicle currently registered in this
10 Commonwealth, a signed statement certifying that the
11 individual does not own a motor vehicle currently
12 registered in this Commonwealth.

13 (e) Prohibitions.--An individual shall be prohibited from
14 receiving relief under the program for convictions of violations
15 committed after the effective date of this subsection.

16 (f) Reinstatement.--The department shall amend eligible
17 individuals' driver's records to show they satisfied all court-
18 ordered obligations which resulted in a suspension of the
19 individual's operating privilege under section 1533. The
20 department shall amend eligible individuals' driver's records to
21 show that suspensions imposed for relevant convictions under
22 section 1543(a) will end or will not be imposed. Any add-on
23 suspensions imposed under section 1544(a) for violations that
24 occurred at the same time as a relevant violation of section
25 1543(a) shall be rescinded from eligible individuals' driver's
26 records. The department shall not be required to reinstate the
27 operating privilege of an individual under this subchapter if
28 the department is authorized under this title to suspend the
29 operating privilege of the individual for other violations of
30 this title. Upon restoration from suspension under this program,

1 eligible individuals' driver's records shall show five points.

2 (g) Compliance.--The department may not be required to
3 restore the operating privilege of an individual under this
4 subchapter until the individual has complied with section 1593
5 (relating to program requirements).

6 § 1593. Program requirements.

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

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

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

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

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

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

28 (ii) notwithstanding 42 Pa.C.S. § 1520(a) (relating
29 to adjudication alternative program), complete a court-
30 ordered public service or other adjudication alternative

1 program under 42 Pa.C.S. § 1520(b).

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

8 (1) proof of financial responsibility; or

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

13 (e) Certification.--The court shall certify to the
14 department that an individual is eligible for relief under the
15 program because:

16 (1) an individual has satisfied the amounts owed to the
17 court; or

18 (2) an individual has completed or satisfied all court-
19 ordered public service requirements or other alternative
20 adjudication programs.

21 § 1594. Use of revenue.

22 All revenue received by the court under the program shall be
23 distributed in accordance with law.

24 § 1595. Proceedings relating to violations barred.

25 Participation in the program is conditioned upon the
26 individual's agreement not to protest or pursue an
27 administrative or judicial proceeding against the department for
28 the sanctions it imposed on the individual's operating privilege
29 under section 1533 (relating to suspension of operating
30 privilege for failure to respond to citation), 1543 (relating to

1 driving while operating privilege is suspended or revoked), 1544
2 (relating to additional period of revocation or suspension) or
3 6146 (relating to enforcement agreements) as addressed by the
4 program.

5 Section 2. This act shall take effect in 10 months.