

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 540 Session of 2023

INTRODUCED BY McNEILL, HILL-EVANS, DELLOSO, SAMUELSON, ISAACSON, HOHENSTEIN, CIRESI, MADDEN, PROBST, SANCHEZ, HOWARD, D. WILLIAMS AND FREEMAN, MARCH 20, 2023

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 29, 2023

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in licensing of drivers, further providing for
3 determination of incompetency; and abrogating regulations.

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

6 Section 1. Section 1519 of Title 75 of the Pennsylvania <--
7 Consolidated Statutes is amended by adding a subsection to read:
8 § 1519. Determination of incompetency.

9 * * *

10 (d) Vehicle lease termination on incompetency. A vehicle
11 lessee that entered into a vehicle lease after the effective
12 date of this subsection shall not be liable for early
13 termination fees or the remainder of vehicle lease payments if
14 the vehicle lessee's operating privileges have been suspended or
15 recalled under this section. The vehicle lessee must return the
16 vehicle to the individual or entity that the vehicle was leased
17 from and provide notice from the department of suspension or

1 ~~recall of the vehicle lessee's operating privilege.~~

2 ~~Section 2. All regulations and parts of regulations are~~
3 ~~abrogated to the extent of any inconsistency with the provisions~~
4 ~~of this act.~~

5 ~~Section 3. This act shall take effect in 60 days.~~

6 SECTION 1. SECTION 1519(C) OF TITLE 75 OF THE PENNSYLVANIA <--
7 CONSOLIDATED STATUTES IS AMENDED AND THE SECTION IS AMENDED BY
8 ADDING A SUBSECTION TO READ:

9 § 1519. DETERMINATION OF INCOMPETENCY.

10 * * *

11 (C) RECALL [OR SUSPENSION] OF OPERATING PRIVILEGE.--THE
12 DEPARTMENT SHALL RECALL THE OPERATING PRIVILEGE OF ANY PERSON
13 WHOSE INCOMPETENCY HAS BEEN ESTABLISHED UNDER THE PROVISIONS OF
14 THIS CHAPTER OR WHO REFUSES OR FAILS TO COMPLY WITH THE
15 REQUIREMENTS OF THIS SECTION. THE RECALL SHALL BE FOR AN
16 INDEFINITE PERIOD UNTIL THAT PERSON COMPLIES AND SATISFACTORY
17 EVIDENCE IS PRESENTED TO THE DEPARTMENT IN ACCORDANCE WITH
18 REGULATIONS TO ESTABLISH THAT SUCH PERSON IS COMPETENT TO DRIVE
19 A MOTOR VEHICLE. [THE DEPARTMENT SHALL SUSPEND THE OPERATING
20 PRIVILEGE OF ANY PERSON WHO REFUSES OR FAILS TO COMPLY WITH THE
21 REQUIREMENTS OF THIS SECTION UNTIL THAT PERSON DOES COMPLY AND
22 THAT PERSON'S COMPETENCY TO DRIVE IS ESTABLISHED.] ANY PERSON
23 AGGRIEVED BY THE RECALL [OR SUSPENSION] OF THE OPERATING
24 PRIVILEGE MAY APPEAL IN THE MANNER PROVIDED IN SECTION 1550. THE
25 JUDICIAL REVIEW SHALL BE LIMITED TO WHETHER THE PERSON IS
26 COMPETENT TO DRIVE IN ACCORDANCE WITH THE PROVISIONS OF THE
27 REGULATIONS PROMULGATED UNDER SECTION 1517 (RELATING TO MEDICAL
28 ADVISORY BOARD) .

29 (D) VEHICLE LEASE TERMINATION ON INCOMPETENCY.--FOR A
30 CONSUMER LEASE OF A MOTOR VEHICLE SUBJECT TO REGULATIONS OF THE

1 CONSUMER FINANCIAL PROTECTION BUREAU UNDER 12 CFR CH. X PT. 1013
2 (RELATING TO CONSUMER LEASING (REGULATION M)), ENTERED INTO
3 AFTER THE EFFECTIVE DATE OF THIS SUBSECTION, A LESSEE REQUESTING
4 EARLY TERMINATION OF A LEASE SHALL NOT BE LIABLE FOR ANY PENALTY
5 OR EARLY TERMINATION CHARGE PROVIDED BY THE LEASE IF THE VEHICLE
6 LESSEE'S OPERATING PRIVILEGES HAVE BEEN RECALLED UNDER THIS
7 SECTION AND NO OTHER MEMBER OF THE LESSEE'S HOUSEHOLD REGULARLY
8 USES THE VEHICLE. A LESSEE SEEKING TO TERMINATE A LEASE UNDER
9 THIS SUBSECTION MUST PROVIDE TO THE LESSOR A COPY OF THE NOTICE
10 OF LICENSE RECALL PROVIDED BY THE DEPARTMENT. THE LEASE SHALL BE
11 TERMINATED UPON RETURN OF THE VEHICLE TO THE LESSOR OR OTHER
12 PERSON IN THE MANNER PROVIDED BY THE LEASE, INCLUDING IN ANY
13 AMENDMENT OR LEASE ASSIGNMENT OR NOTICE.

14 SECTION 2. THIS ACT SHALL APPLY TO LEASES FOR MOTOR VEHICLES
15 ENTERED INTO WITH A LESSEE WITH A BILLING ADDRESS LOCATED IN
16 THIS COMMONWEALTH ON OR AFTER THE EFFECTIVE DATE OF THIS
17 SECTION.

18 SECTION 3. THIS ACT SHALL TAKE EFFECT IN 180 DAYS.