

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 998 Session of 2023

INTRODUCED BY FARRY, LANGERHOLC, ROBINSON, DILLON, PHILLIPS-HILL, MARTIN, CULVER, DUSH, VOGEL, COSTA AND GEBHARD, DECEMBER 8, 2023

AS AMENDED ON THIRD CONSIDERATION, APRIL 29, 2024

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in rules of the road in general, further providing
3 for racing on highways; imposing penalties; and making
4 editorial changes.

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

7 Section 1. Sections 1532(b)(1), 1542(b)(2), 1553(d)(11),
8 3367 and 6503(a) of Title 75 of the Pennsylvania Consolidated
9 Statutes are amended to read:

10 § 1532. Suspension of operating privilege.

11 * * *

12 (b) Suspension.--

13 (1) The department shall suspend the operating privilege
14 of any driver for six months upon receiving a certified
15 record of the driver's conviction of or an adjudication of
16 delinquency based on any offense under the following
17 provisions:

18 Section 3367 (relating to racing on highways and

1 trafficways).

2 Section 3714(b) (relating to careless driving).

3 Section 3734 (relating to driving without lights to
4 avoid identification or arrest).

5 Section 3736 (relating to reckless driving).

6 Section 3743 (relating to accidents involving damage
7 to attended vehicle or property).

8 * * *

9 § 1542. Revocation of habitual offender's license.

10 * * *

11 (b) Offenses enumerated.--Three convictions arising from
12 separate acts of any one or more of the following offenses
13 committed by any person shall result in such person being
14 designated as a habitual offender:

15 * * *

16 (2) Any violation of section 3367 (relating to racing on
17 highways and trafficways).

18 * * *

19 § 1553. Occupational limited license.

20 * * *

21 (d) Unauthorized issuance.--The department shall prohibit
22 issuance of an occupational limited license to:

23 * * *

24 (11) Any person whose operating privilege has been
25 suspended or revoked as the result of a conviction of or as a
26 result of a court order in conjunction with an adjudication
27 of delinquency or the granting of a consent decree for any
28 offense under the following provisions, unless the suspension
29 or revocation has been fully served:

30 Section 3345(a) (relating to meeting or overtaking

1 school bus).

2 Section 3367 (relating to racing on highways and
3 trafficways).

4 Any violation of Ch. 37 Subch. B (relating to serious
5 traffic offenses) or C (relating to accidents and
6 accident reports).

7 * * *

8 § 3367. Racing on highways and trafficways.

9 (a) Definitions.--As used in this section the following
10 words and phrases shall have the meanings given to them in this
11 subsection:

12 "Drag race." The operation of two or more vehicles from a
13 point side by side at accelerating speeds in a competitive
14 attempt to outdistance each other, or the operation of one or
15 more vehicles over a common selected course, from the same point
16 to the same point, for the purpose of comparing the relative
17 speeds or power of acceleration of the vehicle or vehicles
18 within a certain distance or time limit.

19 "Drifting." The ~~intentional~~ act of steering a vehicle in a <--
20 turn in an attempt to make the rear wheel or wheels of the
21 vehicle lose traction and create a controlled OR UNCONTROLLED <--
22 skid sideways.

23 "Race." The use of one or more vehicles in an attempt to
24 outgain, outdistance or prevent another vehicle from passing, to
25 arrive at a given destination ahead of another vehicle or
26 vehicles, or to test the physical stamina or endurance of
27 drivers over long distance driving routes.

28 (b) General rule.--No person shall drive a vehicle on a
29 highway or trafficway in any race, speed competition or contest,
30 drag race or acceleration contest, test of physical endurance,

1 exhibition of speed or acceleration, or for the purpose of
2 making a speed record, and no person shall in any manner
3 participate in any such race, competition, contest, test or
4 exhibition.

5 (b.1) Drifting.--No person shall engage in the drifting of a
6 vehicle on a highway or trafficway.

7 (c) Permits for special activities.--The department or local
8 authorities within their jurisdiction may issue permits for
9 special activities which would otherwise be prohibited by this
10 section.

11 (d) [Penalty.--Any person violating this section is guilty
12 of a summary offense and shall, upon conviction, be sentenced to
13 pay a fine of \$200.] Penalties.--

14 (1) A person violating subsection (b) commits a summary
15 offense and shall, upon conviction for a first offense, be
16 sentenced to pay a fine of \$500.

17 (2) A person violating subsection (b) commits a summary
18 offense and shall, upon conviction for a second or subsequent
19 offense, be sentenced to pay a fine of \$2,000 and the vehicle
20 or combination used in the commission of the offense shall be
21 subject to an impoundment order for up to six months as
22 follows:

23 (i) The impoundment of the vehicle or combination
24 shall occur within the ~~municipality~~ COUNTY where the <--
25 offense was committed.

26 (ii) Direct enforcement of the impoundment order
27 shall be conducted by a police officer, constable or
28 impoundment official as directed by the judicial
29 authority. In a city of the first class, second class,
30 second class A and third class, the impoundment official

1 shall be a parking authority of the municipality as
2 authorized under section 6109 (relating to specific
3 powers of department and local authorities) and 53
4 Pa.C.S. Ch. 55 (relating to parking authorities).

5 (iii) The costs of a police officer, constable or
6 impoundment official, reasonable storage costs and all
7 other reasonable costs incident to the impoundment order
8 shall be recoverable in addition to costs of prosecution.

9 (iv) The owner of the vehicle or combination which
10 has been subject to an impoundment order may obtain
11 possession of the vehicle or combination by:

12 (A) Furnishing proof of valid registration and
13 financial responsibility.

14 (B) Paying all costs and reasonable fees
15 associated with the impoundment order or making
16 arrangements with the appropriate judicial authority
17 to make payments of all costs and reasonable fees by
18 installments as provided by the Pennsylvania Rules of
19 Criminal Procedure.

20 (v) Any impounded vehicle or combination not
21 recovered under this subsection may be sold as an
22 unclaimed vehicle under section 6310 (relating to
23 disposition of impounded vehicles, combinations and
24 loads).

25 (3) A person violating subsection (b.1) commits a
26 summary offense and shall, upon conviction, be sentenced to
27 pay a fine of \$250.

28 (4) A person that organizes, controls, promotes or
29 finances two or more persons in a course of conduct that
30 violates subsection (b) or (b.1) commits a summary offense

1 and shall, upon conviction, be sentenced to pay a fine of
2 \$1,000 per vehicle engaged in the conduct that violates
3 subsection (b) or (b.1).

4 (5) A person that organizes, controls, promotes or
5 finances two or more persons in a course of conduct that
6 violates subsection (b) or (b.1) that results in the injury
7 or death of an individual commits a felony of the third
8 degree.

9 § 6503. Subsequent convictions of certain offenses.

10 (a) General offenses.--Every person convicted of a second or
11 subsequent violation of any of the following provisions shall be
12 sentenced to pay a fine of not less than \$200 nor more than
13 \$1,000 or to imprisonment for not more than six months, or both:

14 Section 1543(a) (relating to driving while operating
15 privilege is suspended or revoked) except as set forth in
16 subsection (a.1).

17 Section 3367 (relating to racing on highways and
18 trafficways).

19 Section 3734 (relating to driving without lights to avoid
20 identification or arrest).

21 Section 3748 (relating to false reports).

22 * * *

23 Section 2. This act shall take effect in 60 days.