

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1646 Session of 2017

INTRODUCED BY B. MILLER, TAYLOR, MILLARD, DRISCOLL, MALONEY, W. KELLER, MENTZER, NEILSON, STURLA, HELM, DIAMOND, RYAN AND LONGIETTI, JULY 7, 2017

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, SEPTEMBER 25, 2017

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in general provisions, further providing for
3 definitions; in licensing of drivers, further providing for
4 suspension of operating privilege; and, in miscellaneous
5 provisions, further providing for careless driving.

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

8 Section 1. Section 102 of Title 75 of the Pennsylvania
9 Consolidated Statutes is amended by adding a definition to read:

10 § 102. Definitions.

11 Subject to additional definitions contained in subsequent
12 provisions of this title which are applicable to specific
13 provisions of this title, the following words and phrases when
14 used in this title shall have, unless the context clearly
15 indicates otherwise, the meanings given to them in this section:

16 \* \* \*

17 "Vulnerable highway user." A pedestrian or a person on
18 roller skates, inline skates, a skateboard, motor-driven cycle,

1 motorcycle, pedalcycle, motorized pedalcycle, pedalcycle with  
2 electric assist, an animal, an animal drawn vehicle, a farm  
3 vehicle or a wheelchair.

4 \* \* \*

5 Section 2. Sections 1532(a) and (b) (1) and (5) and 3714 are  
6 amended to read:

7 § 1532. Suspension of operating privilege.

8 (a) One-year suspension.--The department shall suspend the  
9 operating privilege of any driver for one year upon receiving a  
10 certified record of the driver's conviction of or an  
11 adjudication of delinquency based on any of the following  
12 offenses:

13 (1) Any felony in the commission of which a court  
14 determines that a vehicle was essentially involved.

15 (3) Any violation of the following provisions:

16 Section 3714(b.1) (relating to careless driving).

17 Section 3735.1 (relating to aggravated assault by  
18 vehicle while driving under the influence).

19 Section 3742 (relating to accidents involving death  
20 or personal injury).

21 Section 3742.1 (relating to accidents involving death  
22 or personal injury while not properly licensed).

23 Section 7111 (relating to dealing in titles and  
24 plates for stolen vehicles).

25 Section 7121 (relating to false application for  
26 certificate of title or registration).

27 Section 7122 (relating to altered, forged or  
28 counterfeit documents and plates).

29 \* \* \*

30 (b) Suspension.--

1           (1) The department shall suspend the operating privilege  
2 of any driver for six months upon receiving a certified  
3 record of the driver's conviction of or an adjudication of  
4 delinquency based on any offense under the following  
5 provisions:

6           Section 3367 (relating to racing on highways).

7           Section 3714(b) [(relating to careless driving)] or  
8 (c.1).

9           Section 3734 (relating to driving without lights to  
10 avoid identification or arrest).

11          Section 3736 (relating to reckless driving).

12          Section 3743 (relating to accidents involving damage  
13 to attended vehicle or property).

14          \* \* \*

15          (5) The department shall suspend the operating privilege  
16 of any driver for three months upon receiving a certified  
17 record of the driver's conviction of or an adjudication of  
18 delinquency based on section 3714(c) or (c.2).

19          \* \* \*

20 § 3714. Careless driving.

21          (a) General rule.--Any person who drives a vehicle in  
22 careless disregard for the safety of persons or property is  
23 guilty of careless driving, a summary offense.

24          (b) Unintentional death.--[If] Except as provided in  
25 subsection (b.1), if the person who violates this section  
26 unintentionally causes the death of another person as a result  
27 of the violation, the person shall, upon conviction, be  
28 sentenced to pay a fine of \$500.

29          (b.1) Death involving a vulnerable highway user.--If the  
30 person who violates this section causes the death of a

1 vulnerable highway user as a result of the violation, the person  
2 shall, upon conviction, be sentenced to pay a fine of not more  
3 than \$10,000.

4 (c) Serious bodily injury.--[If] Except as provided in  
5 subsection (c.1), if the person who violates this section  
6 unintentionally causes the serious bodily injury of another  
7 person as a result of the violation, the person shall, upon  
8 conviction, be sentenced to pay a fine of \$250.

9 (c.1) Serious bodily injury to a vulnerable highway user.--  
10 If the person who violates this section causes the serious  
11 bodily injury of a vulnerable highway user as a result of the  
12 violation, the person shall, upon conviction, be sentenced to  
13 pay a fine of not more than \$5,000.

14 (c.2) Bodily injury to a vulnerable highway user.--If a  
15 person who violates this section causes the bodily injury of a  
16 vulnerable highway user as a result of the violation, the person  
17 shall, upon conviction, be sentenced to pay a fine of not more  
18 than \$1,000.

19 Section 3. This act shall take effect in ~~60~~ 120 days.

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