
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1958 Session of
2021

INTRODUCED BY HENNESSEY, WARREN, WHEELAND, JOZWIAK, CIRESI,
FREEMAN, SCHLOSSBERG AND HILL-EVANS, OCTOBER 6, 2021

REFERRED TO COMMITTEE ON TRANSPORTATION, OCTOBER 6, 2021

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in general provisions, further providing for
3 definitions; and, in licensing of drivers, providing for
4 department approved driver improvement programs and further
5 providing for school, examination or hearing on accumulation
6 of points or excessive speeding, for occupational limited
7 license and for probationary license.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

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

12 § 102. Definitions.

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

18 * * *

19 "Department-approved driver improvement program." A program
20 approved by the department under section 1537.1 (relating to

1 department-approved driver improvement programs).

2 * * *

3 Section 2. Title 75 is amended by adding a section to read:

4 § 1537.1. Department-approved driver improvement programs.

5 The department shall approve programs designed to target
6 drivers with high moving-violation recidivism for the purposes
7 under this subchapter. The following shall apply:

8 (1) The programs shall be centered on established
9 behavioral psychology principles that lead to effective
10 behavioral change offered by nationally recognized nonprofit
11 organizations whose curriculum has been proven effective.

12 (2) Program providers shall provide both classroom and
13 online course options for all drivers required to attend and
14 shall offer a minimum of four to eight hours of training.

15 Section 3. Section 1538 heading, (a), (b), (c) and (d) of
16 Title 75 are amended to read:

17 § 1538. [School, examination] Examination or hearing on
18 accumulation of points or excessive speeding.

19 (a) Initial accumulation of six points.--When any person's
20 record for the first time shows as many as six points, the
21 department shall require the person to attend [an] a department-
22 approved driver improvement [school or undergo a special
23 examination and shall so notify the person in writing.] program
24 and shall notify the person in writing, providing the person
25 with 90 days to complete the program. Additionally, the
26 department may require the person or undergo a special
27 examination. Upon satisfactory attendance and completion of the
28 [course] approved program or upon passing the special
29 examination, two points shall be removed from the person's
30 record. Failure to attend and satisfactorily complete the

1 requirements of a department-approved driver improvement
2 [school] program shall result in the suspension of such person's
3 operating privilege [for 60 days.] indefinitely until the
4 operator satisfactorily completes the department-approved driver
5 improvement program and satisfies any other sanctions imposed by
6 the department. Failure to pass the examination shall result in
7 the suspension of the operating privilege until the examination
8 has been satisfactorily completed.

9 (b) Second accumulation of six points.--

10 (1) When any person's record has been reduced below six
11 points and for the second time shows as many as six points,
12 the department shall require the person to attend a
13 departmental hearing. The department shall also require the
14 person to attend a department-approved driver improvement
15 program and shall notify the person in writing, providing the
16 person with 90 days to complete the program. In addition to
17 the requirement to attend and satisfactorily complete a
18 department-approved driver improvement program, a hearing
19 examiner may recommend one or more of the following:

20 [(i) That the person be required to attend a driver
21 improvement school.]

22 (ii) That the person undergo an examination as
23 provided for in section 1508 (relating to examination of
24 applicant for driver's license).

25 (iii) That the person's driver's license be
26 suspended for a period not exceeding 15 days.

27 (2) The department may effect or modify the
28 recommendations of the hearing examiner but may not impose
29 any sanction not recommended by the hearing examiner.

30 (3) Upon completion of the sanction or sanctions imposed

1 by the department, two points shall be removed from the
2 person's record.

3 (4) Failure to attend the hearing or to attend and
4 satisfactorily complete the requirements of [a] a department-
5 approved driver improvement [school] program within 90 days
6 of the department's written notice shall result in the
7 suspension of such person's operating privilege [for 60
8 days.] indefinitely until the operator satisfactorily
9 completes the department-approved driver improvement program
10 and satisfies any other sanctions imposed by the department.

11 Failure to pass an examination shall result in the suspension
12 of such person's operating privilege until the examination
13 has been satisfactorily completed.

14 (c) Subsequent accumulations of six points.--When any
15 person's record has been reduced below six points and for the
16 third or subsequent time shows as many as six points, the
17 department shall require the driver to attend and satisfactorily
18 complete a department-approved driver improvement program within
19 90 days of a written notice to the driver. In addition, the
20 driver shall be required to attend a departmental hearing to
21 determine whether the person's operating privilege should be
22 suspended for a period not to exceed 30 days. Failure to attend
23 and satisfactorily complete the requirements of a department-
24 approved driver improvement program within 90 days of the
25 department's written notice, to attend the hearing or to comply
26 with the requirements of the findings of the department shall
27 result in the suspension of the operating privilege until the
28 person has complied.

29 (d) Conviction for excessive speeding.--

30 (1) When any person is convicted of driving 31 miles per

1 hour or more in excess of the speed limit, the department
2 shall require the person to attend and satisfactorily
3 complete a department-approved driver improvement program
4 within 90 days of a written notice to the driver. In
5 addition, the driver shall be required to attend a
6 departmental hearing. The hearing examiner may recommend one
7 or more of the following:

8 [(i) That the person be required to attend a driver
9 improvement school.]

10 (ii) That the person undergo an examination as
11 provided for in section 1508.

12 (iii) That the person have his driver's license
13 suspended for a period not exceeding 15 days.

14 (2) The department shall effect at least one of the
15 sanctions but may not increase any suspension beyond 15 days.

16 (3) Failure to attend the hearing or to attend and
17 satisfactorily complete the requirements of a department-
18 approved driver improvement [school] program shall result in
19 the suspension of such person's operating privilege [for 60
20 days.] indefinitely until the operator satisfactorily
21 completes the department-approved driver improvement program
22 and satisfies any other sanctions imposed by the department.

23 Failure to pass an examination shall result in the suspension
24 of such person's operating privilege until the examination
25 has been satisfactorily completed.

26 * * *

27 Section 4. Section 1553(b) (3) and (4) (i) (B) and (d) (14) of
28 Title 75 are amended and subsection (b) is amended by adding a
29 paragraph to read:

30 § 1553. Occupational limited license.

1 * * *

2 (b) Petition.--

3 * * *

4 (1.1) Prior to the issuance of an occupational limited
5 license, the department shall require the petitioner to
6 attend and satisfactorily complete a department-approved
7 driver improvement program. The cost of the program shall be
8 borne by the petitioner.

9 * * *

10 (3) Consistent with the provisions of this section, the
11 department shall issue an occupational limited license to the
12 applicant within 20 days of receipt of the petition[.] and
13 upon attendance and completion of a department-approved
14 driver improvement program.

15 (4) (i) A person whose operating privilege has been
16 suspended for a conviction of section 1543 (relating to
17 driving while operating privilege is suspended or
18 revoked) may not petition for an occupational limited
19 license unless department records show that the
20 suspension for a conviction of section 1543 occurred only
21 as the result of:

22 * * *

23 (B) a suspension for failure to undergo a
24 special examination imposed under the authority of
25 section 1538(a) (relating to [school,] examination or
26 hearing on accumulation of points or excessive
27 speeding);

28 * * *

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

1 * * *

2 (14) Any person whose operating privilege is currently
3 suspended for failure to attend and satisfactorily complete a
4 department-approved driver improvement course or failure to
5 attend a hearing required under section 1538.

6 * * *

7 Section 5. Section 1554(d)(2)(i), (e) and (f)(4) of Title 75
8 are amended and subsection (d) is amended by adding a paragraph
9 to read:

10 § 1554. Probationary license.

11 * * *

12 (d) Initial issuance.--

13 * * *

14 (1.1) The department shall require the petitioner to
15 satisfactorily complete a department-approved driver
16 improvement program. The cost of the program shall be borne
17 by the petitioner.

18 (2) The department may require the petitioner to
19 satisfactorily complete one or more of the following:

20 [(i) A driver improvement program, the cost of the
21 program to be borne by the petitioner.]

22 * * *

23 (e) Renewal.--The department may require a probationary
24 license holder to attend a departmental review session and to
25 satisfactorily complete a department-approved driver improvement
26 program [or] and special examination preceding renewal of the
27 probationary license.

28 (f) Unauthorized issuance.--The department shall not issue a
29 probationary license to:

30 * * *

1 (4) A person who has not satisfactorily completed a
2 department-approved driver improvement [course] program [or]
3 and special examination or who has not attended a hearing
4 required under section 1538 (relating to [school,]
5 examination or hearing on accumulation of points or excessive
6 speeding) .

7 * * *

8 Section 6. This act shall take effect in 60 days.