
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2492 Session of
2014

INTRODUCED BY SAYLOR, ENGLISH, GILLESPIE, GROVE, R. MILLER,
MILNE, REGAN, SCHREIBER, TALLMAN AND SWANGER,
SEPTEMBER 18, 2014

REFERRED TO COMMITTEE ON TRANSPORTATION, SEPTEMBER 18, 2014

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in licensing of drivers, further providing for
3 occupational limited license; and, in enforcement, further
4 providing for reports by courts and for failure to comply
5 with provisions of subchapter.

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

8 Section 1. Sections 1553(d)(10) and 6323(1) of Title 75 of
9 the Pennsylvania Consolidated Statutes are amended to read:

10 § 1553. Occupational limited license.

11 * * *

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

14 * * *

15 (10) [Any] (i) Except as provided under subparagraph
16 (ii), any person whose operating privilege has been
17 suspended pursuant to either former section 13(m) of the
18 act of April 14, 1972 (P.L.233, No.64), known as The
19 Controlled Substance, Drug, Device and Cosmetic Act, or

1 section 1532(c) (relating to suspension of operating
2 privilege) unless the suspension imposed has been fully
3 served.

4 (ii) Subparagraph (i) shall not apply to a person
5 whose:

6 (A) operating privilege has been suspended
7 pursuant to either:

8 (I) former section 13(m) of The Controlled
9 Substance, Drug, Device and Cosmetic Act; or

10 (II) section 1532(c) for a conviction of any
11 offense involving the possession, sale, delivery,
12 offering for sale, holding for sale or giving
13 away of any controlled substance under the laws
14 of the United States, this Commonwealth or any
15 other state; and

16 (B) record of conviction, acquittal or other
17 disposition was not sent to the department within the
18 time period required under section 6323(1) (relating
19 to reports by courts).

20 * * *

21 § 6323. Reports by courts.

22 Subject to any inconsistent procedures and standards relating
23 to reports and transmission of funds prescribed pursuant to
24 Title 42 (relating to judiciary and judicial procedure):

25 (1) The following shall apply:

26 (i) The clerk of any court of this Commonwealth,
27 within ten days after final judgment of conviction or
28 acquittal or other disposition of charges under any of
29 the provisions of this title or under section 13 of the
30 act of April 14, 1972 (P.L.233, No.64), known as The

1 Controlled Substance, Drug, Device and Cosmetic Act,
2 including an adjudication of delinquency or the granting
3 of a consent decree, shall send to the department a
4 record of the judgment of conviction, acquittal or other
5 disposition.

6 (ii) The following shall apply:

7 (A) The clerk of any court of this Commonwealth
8 shall, by January 1, 2016, send to the department
9 each record of the following, including an
10 adjudication of delinquency or the granting of a
11 consent decree, that was not sent within ten days
12 after final judgment of conviction or acquittal or
13 other disposition:

14 (I) A judgment of conviction, acquittal or
15 other disposition of charges under section 13 of
16 The Controlled Substance, Drug, Device and
17 Cosmetic Act.

18 (II) A judgment of conviction, acquittal or
19 other disposition of charges under section
20 1532(c) (relating to suspension of operating
21 privilege) for a conviction of any offense
22 involving the possession, sale, delivery,
23 offering for sale, holding for sale or giving
24 away of any controlled substance under the laws
25 of the United States, this Commonwealth or any
26 other state.

27 (B) A filing made under this subparagraph shall
28 be valid for the purposes of this title.

29 * * *

30 Section 2. Section 6324 of Title 75 is amended by adding a

1 subsection to read:

2 § 6324. Failure to comply with provisions of subchapter.

3 * * *

4 (c) Validity.--Except as provided under section 6323(1)(i)
5 (relating to reports by courts), a record of the following,
6 including an adjudication of delinquency or the granting of a
7 consent decree, that was not sent within ten days after final
8 judgment of conviction or acquittal or other disposition shall
9 not be valid for the purposes of this title:

10 (1) A judgment of conviction, acquittal or other
11 disposition of charges under section 13 of the act of April
12 14, 1972 (P.L.233, No.64), known as The Controlled Substance,
13 Drug, Device and Cosmetic Act.

14 (2) A judgment of conviction, acquittal or other
15 disposition of charges under section 1532(c) (relating to
16 suspension of operating privilege) for a conviction of any
17 offense involving the possession, sale, delivery, offering
18 for sale, holding for sale or giving away of any controlled
19 substance under the laws of the United States, this
20 Commonwealth or any other state.

21 Section 3. This act shall take effect immediately.