

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 987 Session of 2021

INTRODUCED BY HENNESSEY AND CARROLL, MARCH 19, 2021

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 19, 2021

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in licensing of drivers, further providing for
3 suspension of operating privilege.

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

6 Section 1. Section 1532(d) of Title 75 is amended and
7 subsection (b) is amended by adding a paragraph to read:

8 § 1532. Suspension of operating privilege.

9 * * *

10 (b) Suspension.--

11 * * *

12 (6) Beginning as soon as practicable, but no later than
13 10 months after the effective date of this paragraph, the
14 department shall update driver records as follows:

15 (i) If a driver record shows on the effective date
16 of this paragraph an active sanction imposed by the
17 department for a conviction of any offense under a
18 Federal, State or other state's controlled substance
19 laws, except for an offense under section 1532(a), the

1 driver record will be changed to indicate the active
2 departmental sanction has ended. The following shall
3 apply:

4 (A) If the ending of the active departmental
5 sanction means a driver's operating privilege is
6 eligible for restoration, no points will be placed on
7 the driver record as required by section 1545
8 (relating to restoration of operating privilege) and
9 no restoration fee shall be imposed as required by
10 section 1960 (relating to reinstatement of operating
11 privilege or vehicle registration).

12 (B) If a driver record shows a pending
13 departmental sanction after the active sanction
14 imposed by the department for a conviction of any
15 offense under a Federal, State or other state's
16 controlled substance laws, except for an offense
17 under section 1532(a), the effective dates of the
18 pending departmental sanction will be adjusted as if
19 the active sanction ended under this subsection had
20 been rescinded from the record.

21 (ii) If a driver record shows on the effective date
22 of this paragraph a pending sanction imposed by the
23 department for a conviction of any offense under a
24 Federal, State or other state's controlled substance
25 laws, except for an offense under section 1532(a), the
26 driver record will be changed to indicate that the
27 pending sanction will not be imposed. The effective dates
28 for a departmental sanction to be imposed after a
29 conviction of any offense under a Federal, State or other
30 state's controlled substance laws will be adjusted as if

1 the controlled substance-related departmental sanction
2 had been rescinded from the record.

3 (iii) If a driver record shows on the effective date
4 of this paragraph an active suspension imposed under
5 former subsection (d), the driver record will be changed
6 to indicate the suspension has ended. The following shall
7 apply:

8 (A) If the ending of the suspension means the
9 driver's operating privilege is eligible for
10 restoration, no restoration fee shall be imposed as
11 required by section 1960.

12 (B) If the driver record shows any pending
13 departmental sanction after the suspension imposed
14 under former subsection (d), the effective dates of
15 any such pending departmental sanction will be
16 adjusted as if the suspension ended under this
17 section had been rescinded from the record.

18 (iv) If the driver record shows on the effective
19 date of this paragraph a pending suspension imposed under
20 former subsection (d), the driver record will be changed
21 to indicate the suspension will not be imposed. The
22 effective dates for any departmental sanctions to be
23 imposed after the pending suspension under former
24 subsection (d) will be adjusted as if the pending
25 suspension had been rescinded from the record.

26 * * *

27 [(d) Additional suspension.--The department shall suspend
28 the operating privilege of any person upon receiving a certified
29 record of the driver's conviction, adjudication of delinquency
30 or admission into a preadjudication program for a violation

1 under 18 Pa.C.S. § 6307 (relating to misrepresentation of age to
2 secure liquor or malt or brewed beverages), 6308 (relating to
3 purchase, consumption, possession or transportation of liquor or
4 malt or brewed beverages) or 6310.3 (relating to carrying a
5 false identification card). The duration of the suspension shall
6 be as follows:

7 (1) For a first offense, the department shall impose a
8 suspension for a period of 90 days.

9 (2) For a second offense, the department shall impose a
10 suspension for a period of one year.

11 (3) For a third and subsequent offense, the department
12 shall impose a suspension for a period of two years. Any
13 multiple suspensions imposed shall be served consecutively.

14 Courts may certify the conviction, adjudication of
15 delinquency or admission into the preadjudication program on the
16 same form used to submit the order of suspension required under
17 the provisions of 18 Pa.C.S. § 6310.4 (relating to restriction
18 of operating privileges). Wherever practicable, the suspension
19 imposed under this section shall be made concurrent with the
20 suspension imposed under the provisions of 18 Pa.C.S. § 6310.4.
21 All offenses committed on or after May 23, 1988, shall be
22 included in considering whether an offense is a first, second,
23 third or subsequent offense.]

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