
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1118 Session of
2024

INTRODUCED BY STEFANO, COSTA, FLYNN, COMMITTA, CAPPELLETTI,
DILLON, KEARNEY AND A. WILLIAMS, APRIL 2, 2024

REFERRED TO TRANSPORTATION, APRIL 2, 2024

AN ACT

1 Amending Titles 42 (Judiciary and Judicial Procedure) and 75
2 (Vehicles) of the Pennsylvania Consolidated Statutes, in
3 magisterial district judges, further providing for
4 adjudication alternative program; in licensing of drivers,
5 further providing for drivers required to be licensed, for
6 suspension of operating privilege, for suspension of
7 operating privilege for failure to respond to citation and
8 for driving while operating privilege is suspended or
9 revoked, providing for driving while operating privilege is
10 suspended for certain other offenses, for relief from
11 administrative suspension and for relief from administrative
12 suspension participation requirements; in fees, further
13 providing for reinstatement of operating privilege or vehicle
14 registration; and, in penalties and disposition of fines,
15 further providing for inability to pay fine and costs.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 Section 1. Section 1520 of Title 42 of the Pennsylvania
19 Consolidated Statutes is amended by adding a subsection to read:

20 § 1520. Adjudication alternative program.

21 * * *

22 (e.1) Alternative to Title 75 sanctions.--Notwithstanding
23 the provisions of subsection (a), a person whose operating
24 privilege has been suspended under 75 Pa.C.S. § 1533(a)

1 (relating to suspension of operating privilege for failure to
2 respond to citation), who has been convicted of violating 75
3 Pa.C.S. § 1543.1(a) (relating to driving while operating
4 privilege is suspended for certain other offenses) or who is
5 eligible for relief under 75 Pa.C.S. § 1557 (relating to relief
6 from administrative suspension) may be placed by the
7 magisterial district judge in an appropriate program under
8 subsection (b) in accordance with 75 Pa.C.S. § 1533(d)(1)(iii),
9 1543.1(a)(2)(ii) or 1558(b)(2)(ii) (relating to relief from
10 administrative suspension participation requirements). The
11 placement of a person under this subsection in an appropriate
12 program under subsection (b) as authorized by the magisterial
13 district judge shall be done in accordance with subsection (c),
14 except that the magisterial district judge may not alter the
15 conviction for a violation of 75 Pa.C.S. § 1543.1(a) or relieve
16 the person of the obligation to pay a fine associated with the
17 conviction upon successful completion of the program under
18 subsection (b).

19 * * *

20 Section 2. Section 1501(d) of Title 75 is amended and the
21 section is amended by adding a subsection to read:

22 § 1501. Drivers required to be licensed.

23 * * *

24 (d) Penalty.--[Any] Except as provided under subsection (e),
25 any person violating subsection (a) is guilty of a summary
26 offense and shall, upon conviction, be sentenced to pay a fine
27 of \$200, except that, if the person charged furnishes
28 satisfactory proof of having held a driver's license valid on
29 the last day of the preceding driver's license period and no
30 more than one year has elapsed from the last date for renewal,

1 the fine shall be \$25. No person charged with violating
2 subsection (a) or (b) shall be convicted if the person produces
3 at the office of the issuing authority within 15 days of the
4 violation:

5 (1) a driver's license valid in this Commonwealth at the
6 time of the violation; or

7 (2) if the driver's license is lost, stolen, destroyed
8 or illegible, evidence that the driver was licensed at the
9 time of the violation.

10 (e) Alternative penalty.--A person who violates this section
11 may, upon conviction, be sentenced to pay the fine imposed under
12 section 1543.1(a) (relating to driving while operating privilege
13 is suspended for certain other offenses) and, if applicable,
14 successfully complete a program of community service as
15 specified under section 1543.1(a)(2)(ii).

16 Section 3. Section 1532(b)(2) of Title 75 is amended to
17 read:

18 § 1532. Suspension of operating privilege.

19 * * *

20 (b) Suspension.--

21 * * *

22 (2) The department shall suspend the operating privilege
23 of any driver for six months upon receiving a certified
24 record of the driver's conviction of a subsequent offense
25 under section 1501(a) (relating to drivers required to be
26 licensed) if the prior offense occurred within five years of
27 the violation date of the subsequent offense[.], unless, in
28 accordance with 42 Pa.C.S. § 1520 (relating to adjudication
29 alternative program), the driver enters a program of
30 community service as approved by the issuing authority or

1 court in lieu of the suspension under this paragraph. The
2 department shall impose the suspension of the operating
3 privilege of the driver if the driver fails to complete a
4 program of community service as ordered by the issuing
5 authority or court and, if applicable, require the driver to
6 pay the fee specified under section 1960 (relating to
7 reinstatement of operating privilege or vehicle
8 registration).

9 * * *

10 Section 4. Section 1533(a), (c) and (d) of Title 75 are
11 amended and the section is amended by adding a subsection to
12 read:

13 § 1533. Suspension of operating privilege for failure to
14 respond to citation.

15 (a) Violations within Commonwealth.--The department shall
16 suspend the operating privilege of any person who [has failed to
17 respond to a citation or summons to appear before an issuing
18 authority or a court of competent jurisdiction of this
19 Commonwealth for any violation of this title, other than
20 parking, or who has failed to pay any fine, costs or restitution
21 imposed by an issuing authority or such courts for violation of
22 this title, other than parking, upon being duly notified by an
23 issuing authority or a court of this Commonwealth.], upon being
24 duly notified by an issuing authority or a court of competent
25 jurisdiction of this Commonwealth, has failed to take any of the
26 following actions:

27 (1) Respond to a citation or summons to appear before
28 the issuing authority or court for a violation of this title,
29 other than parking.

30 (2) Pay any fine, costs or restitution imposed by the

1 issuing authority or court for a violation of this title,
2 other than parking.

3 (3) Successfully complete a program of community service
4 as specified under subsection (d)(1)(iii).

5 (a.1) Exception when unable to pay fines, costs or
6 restitution.--Prior to suspending the operating privileges of
7 any person under subsection (a)(2), a court of competent
8 jurisdiction of this Commonwealth shall hold a hearing to
9 determine whether the person is able to pay the fines, costs or
10 restitution imposed by the issuing authority or court for a
11 violation of this title, other than parking. A person shall not
12 have the person's license suspended solely for violation of
13 subsection (a)(2) if it is determined that the person is unable
14 to pay the fine, costs or restitution imposed.

15 * * *

16 (c) Time for responding to notice.--At least 15 days before
17 an issuing authority or court notifies the department to impose
18 a suspension pursuant to subsection (a), the issuing authority
19 or court shall notify the person in writing of the requirement
20 to respond to the citation and pay all fines, restitution and
21 penalties imposed by the issuing authority or court. The notice
22 shall include information regarding all of the following:

23 (1) The ability to pay all fines, restitution and
24 penalties by installment payments.

25 (2) The ability to enter and complete a community
26 service requirement in lieu of payment of all fines,
27 restitution and penalties.

28 (d) Period of suspension.--The suspension shall continue
29 until such person shall [respond to the citation, summons or
30 writ, as the case may be, and pay all fines, restitution and

1 penalties imposed or enter into an agreement to make installment
2 payments for the fines, restitution and penalties imposed
3 provided that the suspension may be reimposed by the department
4 if the defendant fails to make regular installment payments and,
5 if applicable, pay the fee prescribed in section 1960 (relating
6 to reinstatement of operating privilege or vehicle
7 registration).] take all of the following actions:

8 (1) Respond to the citation, summons or writing and
9 comply with any of the following requirements:

10 (i) Pay all fines, restitution and penalties imposed
11 by the issuing authority or court.

12 (ii) Enter into an agreement to make installment
13 payments for all fines, restitution and penalties imposed
14 by the issuing authority or court. The department may
15 reimpose the suspension if the defendant fails to make
16 regular installment payments.

17 (iii) In accordance with 42 Pa.C.S. § 1520 (relating
18 to adjudication alternative program), enter into a
19 program of community service approved by the issuing
20 authority or court in lieu of complying with the
21 requirements under subparagraph (i) or (ii). The
22 department may reimpose the suspension if the defendant
23 fails to complete a program of community service as
24 ordered by the issuing authority or court.

25 (2) If applicable, pay the fee specified under section
26 1960 (relating to reinstatement of operating privilege or
27 vehicle registration).

28 * * *

29 Section 5. Section 1543(c) of Title 75 is amended to read:
30 § 1543. Driving while operating privilege is suspended or

1 revoked.

2 * * *

3 (c) Suspension or revocation of operating privilege.--[Upon]
4 Except as provided under section 1543.1 (relating to driving
5 while operating privilege is suspended for certain other
6 offenses), upon receiving a certified record of the conviction
7 or adjudication of delinquency of any person under this section,
8 the department shall suspend or revoke the person's operating
9 privilege as follows:

10 (1) Except as provided for under paragraph (1.1), if the
11 department's records show that the person was under
12 suspension, recall or cancellation on the date of violation,
13 and had not been restored, the department shall suspend the
14 person's operating privilege for an additional one-year
15 period.

16 (1.1) If the department's records show that the person
17 was under an indefinite suspension on the date of violation
18 for not satisfactorily completing a driver improvement school
19 as required under section 1538 (relating to school,
20 examination or hearing on accumulation of points or excessive
21 speeding), and had not been restored, the department shall
22 suspend the person's operating privilege for an additional
23 30-day period.

24 (2) If the department's records show that the person was
25 under revocation on the date of violation, and had not been
26 restored, the department shall revoke the person's operating
27 privilege for an additional two-year period.

28 * * *

29 Section 6. Title 75 is amended by adding sections to read:
30 § 1543.1. Driving while operating privilege is suspended for

1 certain other offenses.

2 (a) Certain other offenses.--

3 (1) A person who drives a motor vehicle on any highway
4 or trafficway of this Commonwealth at a time when the
5 person's operating privilege is suspended under section
6 1532(b) (2) (relating to suspension of operating privilege) or
7 1533 (relating to suspension of operating privilege for
8 failure to respond to citation) and the underlying offense
9 for the suspension is a violation of section 1501(a)
10 (relating to drivers required to be licensed) shall, upon
11 conviction or adjudication of delinquency, be sentenced to
12 pay a fine of \$50.

13 (2) A person who drives a motor vehicle on any highway
14 or trafficway of this Commonwealth after the commencement of
15 a second or subsequent suspension of the person's operating
16 privilege under section 1532(b) (2) and no other violation and
17 before the operating privilege has been restored is guilty of
18 a summary offense and shall, upon conviction or adjudication
19 of delinquency, be required to do one or both of the
20 following:

21 (i) Pay a fine of \$200 or enter into an agreement to
22 make installment payments for the fine imposed by the
23 issuing authority or court.

24 (ii) In accordance with 42 Pa.C.S. § 1520 (relating
25 to adjudication alternative program), enter into a
26 program of community service as approved by the issuing
27 authority or court in lieu of satisfying the requirements
28 under subparagraph (i). Upon receiving a report of a
29 failure to complete the program, the department shall
30 suspend the operating privilege of the person in

1 accordance with section 1543(c)(1) (relating to driving
2 while operating privilege is suspended or revoked).

3 (b) Citation of appropriate provisions.--Prior to filing a
4 citation for a violation of this section with the issuing
5 authority named in the citation, the police officer shall verify
6 the basis for the suspension with the department. Upon receiving
7 the verification, the police officer shall cite the appropriate
8 paragraph under subsection (a) on the citation.

9 § 1557. Relief from administrative suspension.

10 (a) Restoration.--The department may restore the operating
11 privileges of individuals from operating privilege suspensions
12 imposed under any of the following:

13 (1) Section 1532(b) (relating to suspension of operating
14 privilege).

15 (2) Section 1533(a), (b) or (d) (relating to suspension
16 of operating privilege for failure to respond to citation).

17 (3) Section 1543 (relating to driving while operating
18 privilege is suspended or revoked).

19 (4) Section 1544(a) or (c) (relating to additional
20 period of revocation or suspension).

21 (b) Duties.--The department shall have all of the following
22 duties:

23 (1) Notify each individual under a suspension of
24 operating privilege who may be eligible for relief under the
25 program based on the criteria specified under subsection (d).

26 (2) Review the applications filed for relief under the
27 program and make a determination as to the applicant's
28 eligibility for relief within 30 days of receipt of the
29 application and all other required items.

30 (3) Determine if an applicant has satisfied all court-

1 ordered obligations which resulted in a suspension of the
2 applicant's operating privilege under section 1533(a), (b) or
3 (d).

4 (4) Determine if an applicant's conviction of a
5 violation under section 1543 occurred only as the result of a
6 suspension imposed under section 1532(b)(2), 1533 or 6146
7 (relating to enforcement agreements) and if the applicant is
8 currently under or will be under a suspension of operating
9 privilege for a conviction under section 1543.

10 (5) Determine whether the granting of relief under the
11 program would result in immediate restoration of the
12 applicant's operating privilege.

13 (6) Prioritize the processing of applications for which
14 the granting of relief will result in an immediate
15 restoration of the applicant's operating privilege.

16 (7) Update the driver's records and restore the
17 operating privilege of an individual as authorized under this
18 section.

19 (c) Eligibility.--The program shall be available to an
20 individual who meets all of the following criteria:

21 (1) The individual's operating privilege has been
22 indefinitely suspended under section 1533(a), (b) or (d)
23 before the effective date of this paragraph.

24 (2) The department's records show that the individual's
25 operating privilege will be or is suspended for a conviction
26 under section 1543(a) or (c) only as a result of a suspension
27 imposed under section 1532(b)(2), 1533 or 6146 before the
28 effective date of this paragraph.

29 (3) The individual has served the operating privilege
30 suspension required for the underlying offense which resulted

1 in a violation of section 1533(a), (b) or (d).

2 (4) The individual has submitted a completed application
3 for relief to the department on a form specified by the
4 department. The individual must submit all of the following
5 items with the application:

6 (i) A restoration fee.

7 (ii) Proof of financial responsibility.

8 (iii) If the individual does not own a motor vehicle
9 currently registered in this Commonwealth, a signed
10 statement certifying that the individual does not own a
11 motor vehicle currently registered in this Commonwealth.

12 (d) Reinstatement.--The department shall amend the driver's
13 record of an eligible individual to show that the individual
14 satisfied the court-ordered obligations that resulted in the
15 suspension of the individual's operating privilege under section
16 1533. The department shall amend the driver's records of an
17 eligible individual to show that suspension imposed for a
18 violation under section 1543(a) will end or will not be imposed.
19 The department shall rescind an additional suspension imposed
20 under section 1544(a) for a violation that occurred at the same
21 time as a violation of section 1543(a) from the driver's record
22 of an eligible individual. The department shall not be required
23 to reinstate the operating privilege of an eligible individual
24 under this section if the department is authorized under this
25 title to suspend the operating privilege of the individual for
26 other violations of this title. Upon restoration from suspension
27 under the program, the driver's record of an eligible individual
28 shall show five points.

29 (e) Compliance.--The department shall not be required to
30 restore the operating privilege of an eligible individual under

1 this section until the individual has complied with section 1558
2 (relating to relief from administrative suspension participation
3 requirements).

4 (f) Definitions.--As used in this section, the following
5 words and phrases shall have the meanings given to them in this
6 subsection unless the context clearly indicates otherwise:

7 "Eligible individual." An individual who meets the criteria
8 specified under subsection (d) for relief.

9 § 1558. Relief from administrative suspension participation
10 requirements.

11 (a) Form.--An eligible individual who seeks to participate
12 in the Relief from Administrative Suspension Program shall
13 respond to the court or issuing authority in conformance with
14 the instructions in a restoration requirements letter. The
15 department shall provide a restoration requirements letter to
16 the eligible individual.

17 (b) Requirements.--In addition to the requirements under
18 section 1960 (relating to reinstatement of operating privilege
19 or vehicle registration), an eligible individual applying for
20 relief under the program as required under section 1557(d)
21 (relating to relief from administrative suspension), shall have
22 the following duties:

23 (1) Except as provided under paragraph (2), the
24 individual shall pay all court-ordered obligations
25 immediately or in a single remittance.

26 (2) If the individual is unable to pay all court-ordered
27 obligations, the individual shall:

28 (i) pay in installments all court-ordered
29 obligations after a hearing conducted by the court or
30 issuing authority to determine the individual's ability

1 to pay and the issuance of an order providing for
2 installment payments; or

3 (ii) notwithstanding 42 Pa.C.S. § 1520(a) (relating
4 to adjudication alternative program), complete a court-
5 ordered public service or other adjudication alternative
6 program under 42 Pa.C.S. § 1520(b).

7 (c) Proof of financial responsibility.--Notwithstanding
8 section 1783 (relating to proof of financial responsibility
9 before restoring operating privilege or registration), before
10 restoring an operating privilege, the department shall require
11 an eligible individual to provide the department with any of the
12 following:

13 (1) Proof of financial responsibility.

14 (2) If the individual does not own a motor vehicle
15 currently registered in this Commonwealth, a signed statement
16 certifying that the individual does not own a motor vehicle
17 currently registered in this Commonwealth.

18 (d) Certification.--For the purpose of determining whether
19 an eligible individual may receive relief under the program, the
20 court or issuing authority shall certify any of the following to
21 the department:

22 (1) The individual has satisfied the amounts owed to the
23 court or issuing authority.

24 (2) The individual entered into an agreement to pay in
25 installments all court-ordered obligations.

26 (3) The individual has completed or satisfied all court-
27 ordered public service requirements or other alternative
28 adjudication programs.

29 (e) Definitions.--As used in this section, the following
30 words and phrases shall have the meanings given to them in this

1 subsection unless the context clearly indicates otherwise:

2 "Eligible individual." An individual who meets the criteria
3 specified under section 1557(d) for relief.

4 Section 7. Sections 1960 and 6504(a) of Title 75 are amended
5 to read:

6 § 1960. Reinstatement of operating privilege or vehicle
7 registration.

8 The department shall charge a fee of \$70 or, if section 1379
9 (relating to suspension of registration upon sixth unpaid
10 parking violation in cities of the first class), 1380 (relating
11 to suspension of registration upon unpaid tolls) or 1786(d)
12 (relating to required financial responsibility) applies, a fee
13 of \$88 to restore a person's operating privilege or the
14 registration of a vehicle following a suspension or revocation.
15 The department shall waive a fee imposed under this section for
16 a person who enters into an agreement for installment payments
17 or a program of community service under section 1533(d)(1)(ii)
18 or (iii) (relating to suspension of operating privilege for
19 failure to respond to citation).

20 § 6504. Inability to pay fine and costs.

21 (a) Order for installment payments.--Upon plea and proof
22 that a person is unable to pay any fine and costs imposed under
23 this title, a court may, in accordance with 42 Pa.C.S. § 9758
24 (relating to fine), order [payment] any of the following:

25 (1) Payment of the fine and costs in installments [and].

26 The court shall fix the amounts, times and manner of payment.

27 (2) Entry into a program of community service under
28 section 1533(d)(1)(iii) (relating to suspension of operating
29 privilege for failure to respond to citation), not to exceed
30 50 hours.

1 * * *

2 Section 8. The following shall apply to any person who is
3 currently under operating privilege suspension under 75 Pa.C.S.
4 §§ 1533 and 1544, regardless of the date of the underlying
5 offense:

6 (1) The addition of 42 Pa.C.S. § 1520(e.1).

7 (2) The amendment or addition of 75 Pa.C.S. §§ 1501(d),
8 1532(b)(2), 1533(a), (a.1), (c) and (d), 1543(c), 1960 and
9 6504(a).

10 (3) The addition of 75 Pa.C.S. §§ 1557 and 1558.

11 Section 9. This act shall take effect in one year.