

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 887 Session of 2015

INTRODUCED BY COSTA, BARTOLOTTA, TEPLITZ, TARTAGLIONE, FONTANA, WARD, SCHWANK, DINNIMAN, WILEY, STEFANO, SMITH, YUDICHAK, TOMLINSON, RAFFERTY, AUMENT, VULAKOVICH, HUGHES, MENSCH, BROOKS AND BROWNE, JUNE 12, 2015

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, OCTOBER 26, 2015

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in rules of the road in general, further providing
3 for duty of driver in construction and maintenance areas or
4 on highway safety corridors and for duty of driver in
5 emergency response areas.

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

8 Section 1. Section 3326 of Title 75 of the Pennsylvania
9 Consolidated Statutes is amended by adding a subsection

<--

10 SUBSECTIONS to read:

<--

11 § 3326. Duty of driver in construction and maintenance areas or
12 on highway safety corridors.

13 * * *

14 (c.2) Penalties for bodily injury or death.--In addition to
15 any other penalty prescribed by law, a driver who violates this
16 section and causes bodily injury to, serious bodily injury to
17 or the death of a worker acting in the worker's official

1 capacity or on a highway safety corridor designated under
2 section 6105.1 commits an offense and shall, upon conviction, as <--
3 follows ADJUDICATION OF DELINQUENCY OR ADMISSION INTO AN <--
4 ACCELERATED REHABILITATIVE DISPOSITION PROGRAM OR A
5 PREADJUDICATION PROGRAM:

6 (1) For causing bodily injury as defined in 18 Pa.C.S. §
7 2301 (relating to definitions), pay a fine of not more than
8 \$1,000.

9 (2) For causing serious bodily injury, pay a fine of not
10 more than \$5,000 and surrender the individual's driver's <--
11 license for a period of six months in accordance with section
12 1540 (relating to surrender of license).

13 (3) For causing death, pay a fine of not more than
14 \$10,000 and surrender the individual's driver's license for a <--
15 period of one year in accordance with section 1540.

16 (C.3) SUSPENSION OF OPERATING PRIVILEGE.--UPON RECEIVING A <--
17 CERTIFIED RECORD OF THE DRIVER'S CONVICTION, ADJUDICATION OF
18 DELINQUENCY OR ADMISSION INTO AN ACCELERATED REHABILITATIVE
19 DISPOSITION PROGRAM OR A PREADJUDICATION PROGRAM FOR A VIOLATION
20 OF THIS SECTION, THE DEPARTMENT SHALL SUSPEND THE OPERATING
21 PRIVILEGE OF THE DRIVER IN ACCORDANCE WITH THE FOLLOWING:

22 (1) FOR A PERIOD OF SIX MONTHS IF THE CERTIFIED
23 CONVICTION, ADJUDICATION OF DELINQUENCY OR ADMISSION INTO AN
24 ACCELERATED REHABILITATIVE DISPOSITION PROGRAM OR A
25 PREADJUDICATION PROGRAM INDICATES THE VIOLATION RESULTED IN
26 THE SERIOUS BODILY INJURY OF A WORKER ACTING IN THE WORKER'S
27 OFFICIAL CAPACITY OR ON A HIGHWAY SAFETY CORRIDOR DESIGNATED
28 UNDER SECTION 6105.1.

29 (2) FOR A PERIOD OF ONE YEAR IF THE CERTIFIED
30 CONVICTION, ADJUDICATION OF DELINQUENCY OR ADMISSION INTO AN

1 ACCELERATED REHABILITATIVE DISPOSITION PROGRAM OR A
2 PREADJUDICATION PROGRAM INDICATES THE VIOLATION RESULTED IN
3 THE DEATH OF A WORKER ACTING IN THE WORKER'S OFFICIAL
4 CAPACITY OR ON A HIGHWAY SAFETY CORRIDOR DESIGNATED UNDER
5 SECTION 6105.1.

6 * * *

7 Section 2. Section 3327(b.1) and (e) of Title 75 are amended
8 and the section is amended by adding a subsection to read:

9 § 3327. Duty of driver in emergency response areas.

10 * * *

11 (b.1) Suspension of operating privilege.--

12 [The] (1) Except as otherwise provided in paragraph (2),
13 the department shall suspend the operating privilege of any
14 person for 90 days upon receiving a certified record of the
15 driver's conviction, adjudication of delinquency or admission
16 into AN ACCELERATED REHABILITATIVE DISPOSITION PROGRAM OR a <--
17 preadjudication program for a violation of subsection (a), if
18 the certified conviction indicates the violation resulted in
19 serious bodily injury to another person. The license shall be
20 surrendered in accordance with section 1540 (relating to
21 surrender of license).

22 (2) Upon receiving a certified record of the driver's
23 conviction, adjudication of delinquency or admission into AN <--
24 ACCELERATED REHABILITATIVE DISPOSITION PROGRAM OR a
25 preadjudication program for a violation of subsection (a), in
26 accordance with section 1540, the department shall suspend
27 the operating privilege of the driver in accordance with the
28 following:

29 (i) For a period of six months if the certified
30 conviction, ADJUDICATION OF DELINQUENCY OR ADMISSION INTO <--

1 AN ACCELERATED REHABILITATIVE DISPOSITION PROGRAM OR A
2 PREADJUDICATION PROGRAM indicates the violation resulted
3 in the serious bodily injury of an emergency service
4 responder.

5 (ii) For a period of one year if the certified
6 conviction, ADJUDICATION OF DELINQUENCY OR ADMISSION INTO <--
7 AN ACCELERATED REHABILITATIVE DISPOSITION PROGRAM OR A
8 PREADJUDICATION PROGRAM indicates the violation resulted
9 in the death of an emergency service responder.

10 (b.2) Penalties for bodily injury or death.--In addition to
11 any other penalty prescribed by law, a driver who violates this
12 section and causes bodily injury to, serious bodily injury to or
13 the death of a worker acting in the worker's official capacity <--
14 or on a highway safety corridor designated under section 6105.1
15 (relating to designation of highway safety corridors) AN <--
16 EMERGENCY SERVICE RESPONDER commits an offense and shall, upon
17 conviction, as follows:

18 (1) For causing bodily injury as defined in 18 Pa.C.S. §
19 2301 (relating to definitions), pay a fine of not more than
20 \$1,000.

21 (2) For causing serious bodily injury, pay a fine of not
22 more than \$5,000.

23 (3) For causing death, pay a fine of not more than
24 \$10,000.

25 * * *

26 (e) Fines to be doubled.--In addition to any penalty as
27 provided in [subsection †(b)] SUBSECTIONS (B) AND (b.2), the <--
28 fine for any of the following violations when committed in an
29 emergency response area manned by emergency service responders
30 shall be double the usual amount:

1 Section 3102 (relating to obedience to authorized persons
2 directing traffic).

3 Section 3111 (relating to obedience to traffic-control
4 devices).

5 Section 3114 (relating to flashing signals).

6 Section 3302 (relating to meeting vehicle proceeding in
7 opposite direction).

8 Section 3303 (relating to overtaking vehicle on the
9 left).

10 Section 3304 (relating to overtaking vehicle on the
11 right).

12 Section 3305 (relating to limitations on overtaking on
13 the left).

14 Section 3306 (relating to limitations on driving on left
15 side of roadway).

16 Section 3307 (relating to no-passing zones).

17 Section 3310 (relating to following too closely).

18 Section 3312 (relating to limited access highway
19 entrances and exits).

20 Section 3323 (relating to stop signs and yield signs).

21 Section 3325 (relating to duty of driver on approach of
22 emergency vehicle).

23 Section 3361 (relating to driving vehicle at safe speed).

24 Section 3707 (relating to driving or stopping close to
25 fire apparatus).

26 Section 3710 (relating to stopping at intersection or
27 crossing to prevent obstruction).

28 Section 3714 (relating to careless driving).

29 Section 3736 (relating to reckless driving).

30 Section 3802 (relating to driving under influence of

1 alcohol or controlled substance).

2 * * *

3 Section 3. This act shall take effect in ~~60 days~~ SIX MONTHS. <--