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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 49 Session of  
2017

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INTRODUCED BY GREENLEAF, SCARNATI, VULAKOVICH, BREWSTER,  
SCAVELLO, COSTA, WAGNER AND WHITE, JANUARY 12, 2017

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REFERRED TO TRANSPORTATION, JANUARY 12, 2017

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AN ACT

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

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

6 Section 1. Section 1554(b), (f)(3), (5) and (7) and (k) of  
7 Title 75 of the Pennsylvania Consolidated Statutes are amended  
8 to read:

9 § 1554. Probationary license.

10 \* \* \*

11 (b) Petition.--

12 (1) An applicant for a probationary license must file a  
13 petition with the department by certified mail setting forth  
14 in detail the need for operating a motor vehicle. The  
15 petition shall be on a form prescribed by the department and  
16 shall identify the specific motor vehicles the petitioner  
17 seeks permission to operate. The petition shall include the  
18 operator's name, address and operator number and proof of

1 financial responsibility. The department may require  
2 additional information as well as verification of the  
3 information contained in the petition. All fines, costs and  
4 restoration fees must be paid at the time of the petition.

5 (2) [Before] Except as provided in paragraph (2.1),  
6 before being eligible to petition for a probationary license,  
7 a person must have served and earned credit toward serving  
8 the following terms of suspension or revocation for offenses  
9 enumerated in sections 1532 (relating to suspension of  
10 operating privilege), 1539 (relating to suspension of  
11 operating privilege on accumulation of points) and 1543  
12 (relating to driving while operating privilege is suspended  
13 or revoked):

14 (i) A person with one to seven offenses must have  
15 earned credit for at least a three-year term of  
16 suspension or revocation.

17 (ii) A person with 8 to 14 offenses must have earned  
18 credit for at least a four-year term of suspension or  
19 revocation.

20 (iii) A person with 15 to 21 offenses must have  
21 earned credit for at least a five-year term of suspension  
22 or revocation.

23 (iv) A person with 22 or more offenses must have  
24 earned credit for at least a six-year term of suspension  
25 or revocation.

26 (2.1) A person whose operating privilege has been  
27 suspended for a conviction of section 1543(a), and the  
28 department records show that the suspension for the  
29 conviction of section 1543(a) occurred only as a result of  
30 section 1533 (relating to suspension of operating privilege

1 for failure to respond to citation), 1772 (relating to  
2 suspension for nonpayment of judgments), 1774 (relating to  
3 payments sufficient to satisfy judgments), 1775 (relating to  
4 installment payment of judgments) or 6146 (relating to  
5 enforcement agreements), shall be eligible to petition for a  
6 probationary license if that person has served and earned  
7 credit toward serving the following terms of suspension or  
8 revocation:

9 (i) A person with one to seven offenses must have  
10 earned credit for at least a one and one-half year term  
11 of suspension or revocation.

12 (ii) A person with eight to 14 offenses must have  
13 earned credit for at least a two-year term of suspension  
14 or revocation.

15 (iii) A person with 15 to 21 offenses must have  
16 earned credit for at least a two and one-half year term  
17 of suspension or revocation.

18 (iv) A person with 22 or more offenses must have  
19 earned credit for at least a three-year term of  
20 suspension or revocation.

21 (3) (i) The applicant must prove to the satisfaction of  
22 the department that the applicant has not driven a motor  
23 vehicle during the minimum period of suspension or  
24 revocation.

25 (ii) The applicant's driving history during the  
26 minimum period of suspension or revocation shall be  
27 sufficient documentation for the department to determine  
28 whether the applicant is eligible for a probationary  
29 license.

30 \* \* \*

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

3 \* \* \*

4 (3) A person whose operating privilege is currently  
5 suspended under section 1533 [(relating to suspension of  
6 operating privilege for failure to respond to citation)] or  
7 6146 [(relating to enforcement agreements)].

8 \* \* \*

9 (5) A person against whom there is an unsatisfied  
10 judgment resulting from the operation of a motor vehicle,  
11 until the judgment has been satisfied under the provisions of  
12 section 1774 [(relating to payments sufficient to satisfy  
13 judgments)] or an installment agreement has been entered into  
14 to satisfy the judgment as permitted under section 1772(b)  
15 [(relating to suspension for nonpayment of judgments)] or  
16 1775 [(relating to installment payment of judgments)] and the  
17 financial responsibility of the person has been established.

18 \* \* \*

19 (7) A person who [has previously been issued a  
20 probationary license.], at the time he applies for a  
21 probationary license, has previously been granted such a  
22 privilege within the period of ten years next preceding such  
23 application.

24 \* \* \*

25 (k) Limitation.--A person to whom a probationary license is  
26 issued for [six] three consecutive years shall be eligible to  
27 apply for a regular driver's license at the fee prescribed by  
28 section 1951(a) (relating to driver's license and learner's  
29 permit) upon satisfactory completion of the [sixth] third year  
30 of the probationary license.

1 Section 2. This act shall take effect in 120 days.