
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1346 Session of
2023

INTRODUCED BY B. MILLER, CIRESI, CONKLIN, ZIMMERMAN AND KHAN,
JUNE 7, 2023

REFERRED TO COMMITTEE ON TRANSPORTATION, JUNE 7, 2023

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in general provisions, further providing for
3 definitions; in licensing of drivers, further providing for
4 suspension of operating privilege; in rules of the road in
5 general, further providing for overtaking vehicle on the left
6 and providing for vehicles passing pedestrians on a highway;
7 in special vehicles and pedestrians, further providing for
8 penalty for violation of subchapter; and, in miscellaneous
9 provisions, further providing for the offense of careless
10 driving.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Section 102 of Title 75 of the Pennsylvania
14 Consolidated Statutes is amended by adding a definition to read:
15 § 102. Definitions.

16 Subject to additional definitions contained in subsequent
17 provisions of this title which are applicable to specific
18 provisions of this title, the following words and phrases when
19 used in this title shall have, unless the context clearly
20 indicates otherwise, the meanings given to them in this section:

21 * * *

22 "Vulnerable highway user." Any of the following individuals

1 who are lawfully on a highway:

2 (1) A pedestrian, excluding a personal delivery device.

3 (2) An individual on a pedalcycle.

4 (3) An individual on a motorized pedalcycle.

5 (4) An individual on an animal.

6 (5) An individual on an animal-drawn vehicle.

7 (6) An individual on an electric personal assistive
8 mobility device.

9 (7) An individual on a nonmotorized self-propelled
10 transportation device.

11 (8) An individual on a motor-driven cycle.

12 * * *

13 Section 2. Sections 1532(a) and (b) (1) and 3303(a) (3) of
14 Title 75 are amended to read:

15 § 1532. Suspension of operating privilege.

16 (a) One-year suspension.--The department shall suspend the
17 operating privilege of any driver for one year upon receiving a
18 certified record of the driver's conviction of or an
19 adjudication of delinquency based on any of the following
20 offenses:

21 (1) Any felony in the commission of which a court
22 determines that a vehicle was essentially involved.

23 (3) Any violation of the following provisions:

24 Section 3714(b.1) (relating to careless driving).

25 Section 3735.1 (relating to aggravated assault by
26 vehicle while driving under the influence).

27 Section 3742 (relating to accidents involving death
28 or personal injury).

29 Section 3742.1 (relating to accidents involving death
30 or personal injury while not properly licensed).

1 Section 7111 (relating to dealing in titles and
2 plates for stolen vehicles).

3 Section 7121 (relating to false application for
4 certificate of title or registration).

5 Section 7122 (relating to altered, forged or
6 counterfeit documents and plates).

7 * * *

8 (b) Suspension.--

9 (1) The department shall suspend the operating privilege
10 of any driver for six months upon receiving a certified
11 record of the driver's conviction of or an adjudication of
12 delinquency based on any offense under the following
13 provisions:

14 Section 3367 (relating to racing on highways).

15 Section 3714(b) [(relating to careless driving)] or
16 (c.1).

17 Section 3734 (relating to driving without lights to
18 avoid identification or arrest).

19 Section 3736 (relating to reckless driving).

20 Section 3743 (relating to accidents involving damage
21 to attended vehicle or property).

22 * * *

23 § 3303. Overtaking vehicle on the left.

24 (a) General rule.--The following rules shall govern the
25 overtaking and passing of vehicles proceeding in the same
26 direction, subject to the limitations, exceptions and special
27 rules stated in this chapter:

28 * * *

29 (3) The driver of a motor vehicle overtaking a
30 [pedalcycle] vulnerable highway user, other than a

1 pedestrian, proceeding in the same direction shall pass to
2 the left of the [pedalcycle] vulnerable highway user within
3 not less than four feet at a careful and prudent reduced
4 speed.

5 * * *

6 Section 3. Title 75 is amended by adding a section to read:

7 § 3303.1. Vehicles passing pedestrians on a highway.

8 (a) General rule.--The following rules shall govern the
9 passing of pedestrians on a highway when vehicles are proceeding
10 in the same or opposite direction:

11 (1) If a pedestrian is walking on a highway or on a
12 shoulder adjacent to a highway, the driver of a motor vehicle
13 shall safely pass a pedestrian on the pedestrian's left side
14 within not less than four feet, except that the driver shall
15 not be required to exit the laned roadway or yield to the
16 pedestrian to achieve the four-foot requirement.

17 (2) If a pedestrian is walking on a highway or on a
18 shoulder adjacent to a highway and the only option for the
19 driver of a motor vehicle to safely pass a pedestrian is on
20 the right side of the pedestrian, the driver of a motor
21 vehicle shall safely pass on the pedestrian's right side
22 within not less than four feet, except that the driver shall
23 not be required to exit the laned roadway or yield to the
24 pedestrian to achieve the four-foot requirement.

25 (b) Construction.--Nothing within this section shall be
26 construed to relieve a pedestrian of the requirements of section
27 3542 (relating to right-of-way of pedestrians in crosswalks),
28 3543 (relating to pedestrians crossing at other than crosswalks)
29 or 3544 (relating to pedestrians walking along or on highway).

30 Section 4. Sections 3502 and 3714 of Title 75 are amended to

1 read:

2 § 3502. Penalty for violation of subchapter.

3 Any person violating any provision of this subchapter is
4 guilty of a summary offense and shall, upon conviction, be
5 sentenced to pay a fine of [~~\$10~~] \$25.

6 § 3714. Careless driving.

7 (a) General rule.--Any person who drives a vehicle in
8 careless disregard for the safety of persons or property is
9 guilty of careless driving, a summary offense.

10 (b) Unintentional death.--~~[If]~~ Except as provided in
11 subsection (b.1), if the person who violates this section
12 unintentionally causes the death of another person as a result
13 of the violation, the person shall, upon conviction, be
14 sentenced to pay a fine of \$500.

15 (b.1) Death involving a vulnerable highway user.--If the
16 person who violates this section unintentionally causes the
17 death of a vulnerable highway user as a result of the violation,
18 the person shall, upon conviction, be sentenced to pay a fine of
19 not less than \$500 and not more than \$5,000.

20 (c) Serious bodily injury.--~~[If]~~ Except as provided in
21 subsection (c.1), if the person who violates this section
22 unintentionally causes the serious bodily injury of another
23 person as a result of the violation, the person shall, upon
24 conviction, be sentenced to pay a fine of \$250.

25 (c.1) Serious bodily injury to a vulnerable highway user.--
26 If the person who violates this section unintentionally causes
27 serious bodily injury to a vulnerable highway user as a result
28 of the violation, the person shall, upon conviction, be
29 sentenced to pay a fine of not less than \$250 and not more than
30 \$2,500.

1 (c.2) Bodily injury to a vulnerable highway user.--If the
2 person who violates this section unintentionally causes bodily
3 injury to a vulnerable highway user as a result of the
4 violation, the person shall, upon conviction, be sentenced to
5 pay a fine of not more than \$500.

6 Section 5. This act shall take effect in 120 days.