
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2100 Session of
2021

INTRODUCED BY B. MILLER, RYAN, MENTZER, DeLUCA, CIRESI, MILLARD,
ZIMMERMAN, DIAMOND, SCHMITT, NEILSON, HILL-EVANS, STURLA,
MADDEN AND HICKERNELL, NOVEMBER 23, 2021

REFERRED TO COMMITTEE ON TRANSPORTATION, NOVEMBER 23, 2021

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 the offense of overtaking
6 vehicle on the left and providing for vehicles passing
7 pedestrians on a highway; in special vehicles and
8 pedestrians, further providing for penalty for violation of
9 subchapter; and, in miscellaneous provisions, further
10 providing for the offense of careless 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 definitions 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 * * *

1 "Bodily injury." An injury causing impairment of physical
2 condition or substantial pain.

3 * * *

4 "Vulnerable highway user." Any of the following who is
5 lawfully on a highway:

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

7 (2) An individual on a pedalcycle.

8 (3) An individual on a motorized pedalcycle.

9 (4) An individual on an animal.

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

11 (6) An individual on an electric personal assistive
12 mobility device.

13 (7) An individual on a nonmotorized self-propelled
14 transportation device.

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

16 * * *

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

19 § 1532. Suspension of operating privilege.

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

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

27 (3) Any violation of the following provisions:

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

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

1 Section 3742 (relating to accidents involving death
2 or personal injury).

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

5 Section 7111 (relating to dealing in titles and
6 plates for stolen vehicles).

7 Section 7121 (relating to false application for
8 certificate of title or registration).

9 Section 7122 (relating to altered, forged or
10 counterfeit documents and plates).

11 * * *

12 (b) Suspension.--

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

18 Section 3367 (relating to racing on highways).

19 Section 3714(b) [(relating to careless driving)] or
20 (c.1).

21 Section 3734 (relating to driving without lights to
22 avoid identification or arrest).

23 Section 3736 (relating to reckless driving).

24 Section 3743 (relating to accidents involving damage
25 to attended vehicle or property).

26 * * *

27 § 3303. Overtaking vehicle on the left.

28 (a) General rule.--The following rules shall govern the
29 overtaking and passing of vehicles proceeding in the same
30 direction, subject to the limitations, exceptions and special

1 rules stated in this chapter:

2 * * *

3 (3) The driver of a motor vehicle overtaking a
4 [pedalcycle] vulnerable highway user, other than a
5 pedestrian, proceeding in the same direction shall pass to
6 the left of the [pedalcycle] vulnerable highway user within
7 not less than four feet at a careful and prudent reduced
8 speed.

9 * * *

10 Section 3. Title 75 is amended by adding a section to read:
11 § 3303.1. Vehicles passing pedestrians on a highway.

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

15 (1) If a pedestrian is walking on a highway or on a
16 shoulder adjacent to a highway, the driver of a motor vehicle
17 shall safely pass a pedestrian on the pedestrian's left side
18 within not less than four feet, but the driver is not
19 required to exit the laned roadway or yield to the pedestrian
20 to achieve the four-foot requirement.

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

29 (b) Construction.--Nothing within this section shall be
30 construed to relieve a pedestrian of the requirements of section

1 3542 (relating to right-of-way of pedestrians in crosswalks),
2 3543 (relating to pedestrians crossing at other than crosswalks)
3 or 3544 (relating to pedestrians walking along or on highway).

4 Section 4. Sections 3502 and 3714 of Title 75 are amended to
5 read:

6 § 3502. Penalty for violation of subchapter.

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

10 § 3714. Careless driving.

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

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

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

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

29 (c.1) Serious bodily injury to a vulnerable highway user.--
30 If the person who violates this section unintentionally causes

1 the serious bodily injury of a vulnerable highway user as a
2 result of the violation, the person shall, upon conviction, be
3 sentenced to pay a fine of not less than \$250 and not more than
4 \$2,500.

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

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