

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 2620 Session of  
2024

---

INTRODUCED BY R. MACKENZIE, METZGAR, M. MACKENZIE, SMITH,  
BERNSTINE, PICKETT, SCHMITT, HAMM, GREINER, KUZMA, LEADBETER  
AND M. BROWN, OCTOBER 7, 2024

---

REFERRED TO COMMITTEE ON TRANSPORTATION, OCTOBER 7, 2024

---

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 drivers required to be licensed, providing for undocumented  
5 immigrant driver's license invalid and further providing for  
6 persons exempt from licensing and for carrying and exhibiting  
7 driver's license on demand; in miscellaneous provisions,  
8 further providing for the offense of homicide by vehicle, for  
9 the offense of aggravated assault by vehicle, for the offense  
10 of homicide by vehicle while driving under influence and for  
11 the offense of aggravated assault by vehicle while driving  
12 under influence; in enforcement, further providing for  
13 impoundment for nonpayment of fines and vehicles or  
14 combinations with a gross vehicle weight rating of 17,000  
15 pounds or less; in penalties and disposition of fines,  
16 further providing for subsequent convictions of certain  
17 offenses; and imposing penalties.

18 The General Assembly of the Commonwealth of Pennsylvania  
19 hereby enacts as follows:

20 Section 1. Section 102 of Title 75 of the Pennsylvania  
21 Consolidated Statutes is amended by adding definitions to read:

22 § 102. Definitions.

23 Subject to additional definitions contained in subsequent  
24 provisions of this title which are applicable to specific  
25 provisions of this title, the following words and phrases when

1 used in this title shall have, unless the context clearly  
2 indicates otherwise, the meanings given to them in this section:

3 \* \* \*

4 "Undocumented immigrant." An individual who does not prove  
5 lawful presence within the United States.

6 "Undocumented immigrant driver's license." A class or type  
7 of driver's license, permit or similar document issued by  
8 another state exclusively to undocumented immigrants that  
9 authorizes the holder to operate a motor vehicle on public  
10 highways. The term includes a driver's license issued by another  
11 state that is substantially the same as a driver's license  
12 issued to individuals lawfully present in the United States but  
13 has markings establishing that the license holder did not  
14 exercise the option of providing proof of lawful presence.

15 \* \* \*

16 Section 2. Section 1501(a) and (d) of Title 75 are amended  
17 and the section is amended by adding a subsection to read:  
18 § 1501. Drivers required to be licensed.

19 (a) General rule.--No person, except those expressly  
20 exempted, shall drive any motor vehicle upon a highway or public  
21 property in this Commonwealth unless the person has a driver's  
22 license valid under the provisions of this chapter. As provided  
23 under section 1501.1 (relating to undocumented immigrant  
24 driver's license invalid), an undocumented immigrant driver's  
25 license shall not be considered a valid driver's license under  
26 this chapter. As used in this subsection, the term "public  
27 property" includes, but is not limited to, driveways and parking  
28 lots owned or leased by the Commonwealth, a political  
29 subdivision or an agency or instrumentality of either.

30 \* \* \*

1 (d) Penalty.--[Any] Except as provided under subsection (e),  
2 any person violating subsection (a) is guilty of a summary  
3 offense and shall, upon conviction, be sentenced to pay a fine  
4 of \$200, except that, if the person charged furnishes  
5 satisfactory proof of having held a driver's license valid on  
6 the last day of the preceding driver's license period and no  
7 more than one year has elapsed from the last date for renewal,  
8 the fine shall be \$25. No person charged with violating  
9 subsection (a) or (b) shall be convicted if the person produces  
10 at the office of the issuing authority within 15 days of the  
11 violation:

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

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

17 (e) Driving without a license.--A person convicted of a  
18 second or subsequent violation of subsection (a) within seven  
19 years of the date of commission of the offense preceding the  
20 offense for which sentence is to be imposed shall be sentenced  
21 to pay a fine of not less than \$200 nor more than \$1,000, or to  
22 imprisonment for not more than six months, or both.

23 Section 3. Title 75 is amended by adding a section to read:  
24 § 1501.1. Undocumented immigrant driver's license invalid.

25 (a) General rule.--An undocumented immigrant driver's  
26 license is invalid in this Commonwealth and does not authorize  
27 the holder to operate a motor vehicle upon a highway or public  
28 property in this Commonwealth.

29 (b) Penalty.--A violation of subsection (a) shall be  
30 considered a violation of section 1501(a) (relating to drivers

1 required to be licensed).

2 (c) Posting of invalid licenses.--The department, to  
3 facilitate the enforcement of this section and to aid in  
4 providing notice to the public and visitors, shall maintain on  
5 its publicly accessible Internet website a list of undocumented  
6 immigrant driver's licenses that are invalid in this  
7 Commonwealth.

8 Section 4. Section 1502(3) of Title 75 is amended to read:

9 § 1502. Persons exempt from licensing.

10 The following persons are not required to obtain a driver's  
11 license under this chapter:

12 \* \* \*

13 (3) Any nonresident who is at least 16 years of age and  
14 who has in possession a valid driver's license issued in the  
15 person's home state or country except that a person who has  
16 been issued a valid driver's license in a country other than  
17 the United States or Canada shall be exempt only upon showing  
18 a satisfactory understanding of official traffic-control  
19 devices. A nonresident may only drive the class or classes of  
20 vehicles in this Commonwealth for which the person is  
21 licensed to drive in the person's home state or country  
22 subject to all restrictions contained on the license. As  
23 provided under section 1501.1 (relating to undocumented  
24 immigrant driver's license invalid), an undocumented  
25 immigrant driver's license shall not be considered a valid  
26 driver's license under this paragraph.

27 \* \* \*

28 Section 5. Section 1511 of Title 75 is amended by adding a  
29 subsection to read:

30 § 1511. Carrying and exhibiting driver's license on demand.

1 \* \* \*

2 (c) Invalid license.--As provided under section 1501.1  
3 (relating to undocumented immigrant driver's license invalid),  
4 an undocumented immigrant driver's license shall not be  
5 considered a valid driver's license in this Commonwealth.

6 Section 6. Sections 3732(b)(1.1) and (3) and 3732.1(b)(2)  
7 and (4) of Title 75 are amended to read:

8 § 3732. Homicide by vehicle.

9 \* \* \*

10 (b) Sentencing.--

11 \* \* \*

12 (1.1) In addition to any other penalty provided by law,  
13 a person convicted of a violation of subsection (a) who is  
14 also convicted of a violation of section 1501 (relating to  
15 drivers required to be licensed), 1501.1 (relating to  
16 undocumented immigrant driver's license invalid), 1543  
17 (relating to driving while operating privilege is suspended  
18 or revoked), 3316 (relating to prohibiting text-based  
19 communications), 3325 (relating to duty of driver on approach  
20 of emergency vehicle) or 3327 (relating to duty of driver in  
21 emergency response areas and in relation to disabled  
22 vehicles) may be sentenced to an additional term not to  
23 exceed five years' confinement.

24 \* \* \*

25 (3) The Pennsylvania Commission on Sentencing, pursuant  
26 to 42 Pa.C.S. § 2154 (relating to adoption of guidelines for  
27 sentencing), shall provide for a sentencing enhancement for  
28 an offense under this section when the violation occurred in  
29 an active work zone or the individual was also convicted of a  
30 violation of section 1501, 1501.1, 1543, 3316, 3325 or 3327.

1 § 3732.1. Aggravated assault by vehicle.

2 \* \* \*

3 (b) Sentencing.--

4 \* \* \*

5 (2) In addition to any other penalty provided by law, a  
6 person convicted of a violation of subsection (a) who is also  
7 convicted of a violation of section 1501 (relating to drivers  
8 required to be licensed), 1501.1 (relating to undocumented  
9 immigrant driver's license invalid), 1543 (relating to  
10 driving while operating privilege is suspended or revoked),  
11 3316 (relating to prohibiting text-based communications),  
12 3325 (relating to duty of driver on approach of emergency  
13 vehicle) or 3327 (relating to duty of driver in emergency  
14 response areas and in relation to disabled vehicles) may be  
15 sentenced to an additional term not to exceed two years'  
16 confinement.

17 \* \* \*

18 (4) The Pennsylvania Commission on Sentencing, under 42  
19 Pa.C.S. § 2154 (relating to adoption of guidelines for  
20 sentencing), shall provide for a sentencing enhancement for  
21 an offense under this section when the violation occurred in  
22 an active work zone or the individual was also convicted of a  
23 violation of section 1501, 1501.1, 1543, 3316, 3325 or 3327.

24 Section 7. Section 3735 of Title 75 is amended by adding a  
25 subsection to read:

26 § 3735. Homicide by vehicle while driving under influence.

27 \* \* \*

28 (c) Additional sentencing.--In addition to any other penalty  
29 provided by law, a person convicted of a violation of subsection  
30 (a) and a violation of section 1501 (relating to drivers

1 required to be licensed), 1501.1 (relating to undocumented  
2 immigrant driver's license invalid) or 1543 (relating to driving  
3 while operating privilege is suspended or revoked), when  
4 committed at the same time and place, may be sentenced to an  
5 additional term not to exceed two years of confinement.

6 Section 8. Sections 3735.1(a.1), 6309.1(b) and 6503(b) of  
7 Title 75 are amended to read:

8 § 3735.1. Aggravated assault by vehicle while driving under the  
9 influence.

10 \* \* \*

11 (a.1) Sentencing.--In addition to any other penalty provided  
12 by law, a person convicted of a violation of subsection (a) and  
13 a violation of section 1501 (relating to drivers required to be  
14 licensed), 1501.1 (relating to undocumented immigrant driver's  
15 license invalid) or 1543 (relating to driving while operating  
16 privilege is suspended or revoked) when committed at the same  
17 time and place may be sentenced to an additional term not to  
18 exceed two years' confinement.

19 \* \* \*

20 § 6309.1. Impoundment for nonpayment of fines; vehicles or  
21 combinations with a gross vehicle weight rating of  
22 17,000 pounds or less.

23 \* \* \*

24 (b) General rule.--Upon conviction of or entry of a plea of  
25 guilty or nolo contendere for one or more of the following  
26 offenses and upon imposition of a fine or fines which,  
27 separately or together with any other outstanding or unpaid  
28 fines imposed for the following offenses, total in excess of  
29 \$250, the defendant shall be allowed 24 hours either to obtain  
30 the funds and pay the fine or fines and costs of prosecution or

1 to make arrangements with the issuing authority to pay in  
2 installments as provided by the Pennsylvania Rules of Criminal  
3 Procedure, during which time the defendant's vehicle or  
4 combination may be rendered temporarily inoperable by such  
5 police officer, sheriff or constable as the issuing authority  
6 shall designate:

7           Section 1301 (relating to registration and certificate of  
8 title required).

9           Section 1332 (relating to display of registration plate).

10           Section 1371 (relating to operation following suspension  
11 of registration).

12           Section 1501 (relating to drivers required to be  
13 licensed).

14           Section 1501.1 (relating to undocumented immigrant  
15 driver's license invalid).

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

18           Section 1786 (relating to required financial  
19 responsibility).

20           Section 7124 (relating to fraudulent use or removal of  
21 registration plate).

22 If the defendant neither makes payment nor makes arrangements  
23 for payment within the 24-hour period or defaults upon such  
24 payment, the issuing authority may issue an impoundment order  
25 for the defendant's vehicle and direct enforcement of the order  
26 by a police officer, constable or an impoundment official as  
27 authorized by the issuing authority. In cities of the first  
28 class, the issuing authority shall direct enforcement of the  
29 impoundment order by the Philadelphia Parking Authority.

30           \* \* \*



1 § 6503. Subsequent convictions of certain offenses.

2 \* \* \*

3 [(b) Driving without a license.--Every person convicted of a  
4 second or subsequent violation of section 1501(a) (relating to  
5 drivers required to be licensed) within seven years of the date  
6 of commission of the offense preceding the offense for which  
7 sentence is to be imposed shall be sentenced to pay a fine of  
8 not less than \$200 nor more than \$1,000 or to imprisonment for  
9 not more than six months, or both.]

10 Section 9. This act shall take effect in 60 days.