

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1118 Session of 2024

INTRODUCED BY STEFANO, COSTA, FLYNN, COMMITTA, CAPPELLETTI, DILLON, KEARNEY AND A. WILLIAMS, APRIL 2, 2024

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, AS AMENDED, OCTOBER 8, 2024

AN ACT

1 Amending Titles 42 (Judiciary and Judicial Procedure) and 75
2 (Vehicles) of the Pennsylvania Consolidated Statutes, in
3 magisterial district judges, further providing for
4 adjudication alternative program; in licensing of drivers,
5 further providing for drivers required to be licensed, for <--
6 suspension of operating privilege, for suspension of
7 operating privilege for failure to respond to citation and
8 for driving while operating privilege is suspended or
9 revoked, providing for driving while operating privilege is
10 suspended for certain other offenses, for relief from
11 administrative suspension and for relief from administrative
12 suspension participation requirements; in fees, further
13 providing for reinstatement of operating privilege or vehicle
14 registration; and, in penalties and disposition of fines,
15 further providing for inability to pay fine and costs.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 Section 1. Section 1520 of Title 42 of the Pennsylvania <--
19 Consolidated Statutes is amended by adding a subsection to read:
20 § 1520. Adjudication alternative program.

21 \* \* \*

22 (e.1) Alternative to Title 75 sanctions.

23 (1) Notwithstanding the provisions of subsection (a), a

~~person whose operating privilege has been suspended under 75 Pa.C.S. § 1533(a) (relating to suspension of operating privilege for failure to respond to citation), who has been convicted of violating 75 Pa.C.S. § 1543.1(a) (relating to driving while operating privilege is suspended for certain other offenses) or who is eligible for relief under 75 Pa.C.S. § 1557 (relating to relief from administrative suspension) may be placed by the magisterial district judge in an appropriate program under subsection (b) in accordance with 75 Pa.C.S. § 1533(d)(1)(iii), 1543.1(a)(2)(ii) or 1558(b)(2)(ii) (relating to relief from administrative suspension participation requirements).~~

~~(2) The placement of a person under this subsection in an appropriate program under subsection (b) as authorized by the magisterial district judge shall be done in accordance with subsection (c), except that the magisterial district judge may not:~~

~~(i) alter the conviction for a violation of 75 Pa.C.S. § 1543.1(a);~~

~~(ii) relieve the person of the obligation to pay a fine associated with the conviction upon successful completion of the program under subsection (b); or~~

~~(iii) waive or reduce costs imposed under section 1101 of the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act.~~

~~\* \* \*~~

~~Section 2. Section 1501(d) of Title 75 is amended and the section is amended by adding a subsection to read:~~

~~§ 1501. Drivers required to be licensed.~~

~~\* \* \*~~

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) Alternative penalty. A person who violates this section~~  
18 ~~may, upon conviction, be sentenced to pay the fine imposed under~~  
19 ~~section 1543.1(a) (relating to driving while operating privilege~~  
20 ~~is suspended for certain other offenses) and, if applicable,~~  
21 ~~successfully complete a program of community service as~~  
22 ~~specified under section 1543.1(a)(2)(ii).~~

23 ~~Section 3. Section 1532(b)(2) of Title 75 is amended to~~  
24 ~~read:~~

25 ~~§ 1532. Suspension of operating privilege.~~

26 ~~\* \* \*~~

27 ~~(b) Suspension.~~

28 ~~\* \* \*~~

29 ~~(2) The department shall suspend the operating privilege~~  
30 ~~of any driver for six months upon receiving a certified~~

1 ~~record of the driver's conviction of a subsequent offense~~  
2 ~~under section 1501(a) (relating to drivers required to be~~  
3 ~~licensed) if the prior offense occurred within five years of~~  
4 ~~the violation date of the subsequent offense[.], unless, in~~  
5 ~~accordance with 42 Pa.C.S. § 1520 (relating to adjudication~~  
6 ~~alternative program), the driver enters a program of~~  
7 ~~community service as approved by the issuing authority or~~  
8 ~~court in lieu of the suspension under this paragraph. The~~  
9 ~~department shall impose the suspension of the operating~~  
10 ~~privilege of the driver if the driver fails to complete a~~  
11 ~~program of community service as ordered by the issuing~~  
12 ~~authority or court and, if applicable, require the driver to~~  
13 ~~pay the fee specified under section 1960 (relating to~~  
14 ~~reinstatement of operating privilege or vehicle~~  
15 ~~registration).~~

16 \* \* \*

17 ~~Section 4. Section 1533(a), (c) and (d) of Title 75 are~~  
18 ~~amended and the section is amended by adding a subsection to~~  
19 ~~read:~~

20 SECTION 1. SECTION 1520(A) OF TITLE 42 OF THE PENNSYLVANIA <--  
21 CONSOLIDATED STATUTES IS AMENDED TO READ:

22 § 1520. ADJUDICATION ALTERNATIVE PROGRAM.

23 (A) GENERAL RULE.--EXCEPT FOR CASES CHARGING OFFENSES UNDER  
24 [TITLES 75 (RELATING TO VEHICLES) AND] 34 PA.C.S. (RELATING TO  
25 GAME), THE MAGISTERIAL DISTRICT JUDGE MAY, UPON HEARING THE  
26 FACTS OF A CASE, ADMIT TO AN APPROPRIATE ADJUDICATION  
27 ALTERNATIVE AUTHORIZED BY THIS SECTION PERSONS CHARGED WITH  
28 SUMMARY OFFENSES. THE DEFENDANT SHALL NOT BE REQUIRED TO PLEAD  
29 GUILTY TO BE ACCEPTED BY THE MAGISTERIAL DISTRICT JUDGE INTO THE  
30 PROGRAM. ACCEPTANCE OF PARTICIPATION IN AN ALTERNATIVE

1 AUTHORIZED BY THIS SECTION SHALL BE CONSIDERED A FIRST  
2 CONVICTION FOR THE PURPOSE OF COMPUTING WHETHER A SUBSEQUENT  
3 CONVICTION OF AN OFFENSE SHALL BE CONSIDERED A SECOND OR  
4 SUBSEQUENT CONVICTION.

5 \* \* \*

6 SECTION 2. SECTION 1533(A), (C) AND (D) OF TITLE 75 ARE  
7 AMENDED AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO  
8 READ:

9 § 1533. Suspension of operating privilege for failure to  
10 respond to citation.

11 (a) Violations within Commonwealth.--The department shall  
12 suspend the operating privilege of any person who [has failed to  
13 respond to a citation or summons to appear before an issuing  
14 authority or a court of competent jurisdiction of this  
15 Commonwealth for any violation of this title, other than  
16 parking, or who has failed to pay any fine, costs or restitution  
17 imposed by an issuing authority or such courts for violation of  
18 this title, other than parking, upon being duly notified by an  
19 issuing authority or a court of this Commonwealth.], upon being  
20 duly notified by an issuing authority or a court of competent  
21 jurisdiction of this Commonwealth, has failed to take any of the  
22 following actions:

23 (1) Respond to a citation or summons to appear before  
24 the issuing authority or court for a violation of this title,  
25 other than parking.

26 (2) Pay any fine, costs or restitution imposed by the  
27 issuing authority or court for a violation of this title,  
28 other than parking.

29 ~~(3) Successfully complete a program of community service <--~~  
30 ~~as specified under subsection (d) (1) (iii).~~

1 ~~(a.1) Exception when unable to pay fines, costs or~~  
2 ~~restitution.~~

3 ~~(1) Prior to suspending the operating privileges of any~~  
4 ~~person under subsection (a) (2), an issuing authority or a~~  
5 ~~court of competent jurisdiction of this Commonwealth shall~~  
6 ~~hold a hearing to determine whether the person is able to pay~~  
7 ~~the fines, costs or restitution imposed by the issuing~~  
8 ~~authority or court for a violation of this title, other than~~  
9 ~~parking.~~

10 ~~(2) A person shall not have the person's operating~~  
11 ~~privilege suspended solely for violation of subsection (a) (2)~~  
12 ~~if it is determined that the person is unable to pay the~~  
13 ~~fine, costs or restitution imposed.~~

14 ~~(A.1) EXCEPTION WHEN UNABLE TO PAY FINES, COSTS OR~~ <--  
15 ~~RESTITUTION.--~~

16 ~~(1) PRIOR TO SUSPENDING THE OPERATING PRIVILEGE OF A~~  
17 ~~PERSON UNDER SUBSECTION (A) (2), AN ISSUING AUTHORITY OR A~~  
18 ~~COURT OF COMPETENT JURISDICTION OF THIS COMMONWEALTH SHALL~~  
19 ~~PROCEED UNDER 42 PA.C.S. § 9730 (RELATING TO PAYMENT OF COURT~~  
20 ~~COSTS, RESTITUTION AND FINES).~~

21 ~~(2) A PERSON SHALL NOT HAVE THE PERSON'S OPERATING~~  
22 ~~PRIVILEGE SUSPENDED SOLELY FOR VIOLATION OF SUBSECTION (A) (2)~~  
23 ~~UNLESS THE ISSUING AUTHORITY OR COURT DETERMINES THAT THE~~  
24 ~~PERSON IS ABLE TO PAY THE FINES, COSTS OR RESTITUTION~~  
25 ~~IMPOSED.~~

26 ~~(3) Neither the issuing authority nor the court may~~  
27 ~~waive or reduce under this subsection costs imposed under~~  
28 ~~section 1101 of the act of November 24, 1998 (P.L.882,~~  
29 ~~No.111), known as the Crime Victims Act.~~

30 \* \* \*

1 (c) Time for responding to notice.--At least [15] 30 days <--  
2 before an issuing authority or court notifies the department to  
3 impose a suspension pursuant to subsection (a), the issuing  
4 authority or court shall notify the person in writing of the  
5 requirement to ~~respond~~ to the citation OR SUMMONS and ~~pay~~ all <--  
6 fines, restitution and penalties imposed by the issuing  
7 authority or court. The notice shall include information  
8 regarding all of the following:

9 (1) The ability to pay all fines, restitution and  
10 penalties by installment payments.

11 (2) The ability to enter and complete a community  
12 service requirement in lieu of payment of all fines,  
13 restitution and penalties.

14 (d) Period of suspension.--The suspension shall continue  
15 until such person shall [~~respond to the citation, summons or~~  
16 ~~writ, as the case may be, and pay all fines, restitution and~~  
17 ~~penalties imposed or enter into an agreement to make installment~~  
18 ~~payments for the fines, restitution and penalties imposed~~  
19 ~~provided that the suspension may be reimposed by the department~~  
20 ~~if the defendant fails to make regular installment payments and,~~  
21 ~~if applicable, pay the fee prescribed in section 1960 (relating~~  
22 ~~to reinstatement of operating privilege or vehicle~~  
23 ~~registration).]~~ take all ANY of the following actions: <--

24 ~~(1) Respond to the citation, summons or writing and~~ <--  
25 ~~comply with any of the following requirements:~~

26 ~~(i) Pay all fines, restitution and penalties imposed~~  
27 ~~by the issuing authority or court.~~

28 ~~(ii) Enter into an agreement to make installment~~  
29 ~~payments for all fines, restitution and penalties imposed~~  
30 ~~by the issuing authority or court. The department may~~

~~reimpose the suspension if the defendant fails to make regular installment payments.~~

~~(iii) In accordance with 42 Pa.C.S. § 1520 (relating to adjudication alternative program), enter into a program of community service approved by the issuing authority or court in lieu of complying with the requirements under subparagraph (i) or (ii). The department may reimpose the suspension if the defendant fails to complete a program of community service as ordered by the issuing authority or court.~~

~~(2) If applicable, pay the fee specified under section 1960 (relating to reinstatement of operating privilege or vehicle registration).~~

\* \* \*

(1) RESPOND TO THE CITATION, SUMMONS OR WRITING. <--

(2) PAY ALL FINES, RESTITUTION AND PENALTIES IMPOSED BY THE ISSUING AUTHORITY OR COURT.

(3) ENTER INTO AN AGREEMENT TO MAKE INSTALLMENT PAYMENTS FOR ALL FINES, RESTITUTION AND PENALTIES IMPOSED BY THE ISSUING AUTHORITY OR COURT. THE DEPARTMENT MAY REIMPOSE THE SUSPENSION IF THE PERSON FAILS TO MAKE REGULAR INSTALLMENT PAYMENTS ONLY IF THE ISSUING AUTHORITY OR COURT HAS DETERMINED THAT THE PERSON IS ABLE TO PAY IN ACCORDANCE WITH 42 PA.C.S. § 9730.

(4) IN ACCORDANCE WITH 42 PA.C.S. § 9730, ENTER INTO A PROGRAM OF COMMUNITY SERVICE APPROVED BY THE ISSUING AUTHORITY OR COURT IN LIEU OF PAYMENT. THE DEPARTMENT MAY REIMPOSE THE SUSPENSION IF THE PERSON FAILS TO COMPLETE A PROGRAM OF COMMUNITY SERVICE AS ORDERED BY THE ISSUING AUTHORITY OR COURT.



1           (5) IF APPLICABLE, PAY THE FEE SPECIFIED UNDER SECTION  
2           1960 (RELATING TO REINSTATEMENT OF OPERATING PRIVILEGE OR  
3           VEHICLE REGISTRATION).

4           Section 5 3. Section 1543(c) of Title 75 is amended to read: <--  
5 § 1543. Driving while operating privilege is suspended or  
6           revoked.

7           \* \* \*

8           (c) Suspension or revocation of operating privilege.--[Upon]  
9           Except as provided under section 1543.1 (relating to driving  
10           while operating privilege is suspended for certain other  
11           offenses), upon receiving a certified record of the conviction  
12           or adjudication of delinquency of any person under this section,  
13           the department shall suspend or revoke the person's operating  
14           privilege as follows:

15           (1) Except as provided for under paragraph (1.1), if the  
16           department's records show that the person was under  
17           suspension, recall or cancellation on the date of violation,  
18           and had not been restored, the department shall suspend the  
19           person's operating privilege for an additional one-year  
20           period.

21           (1.1) If the department's records show that the person  
22           was under an indefinite suspension on the date of violation  
23           for not satisfactorily completing a driver improvement school  
24           as required under section 1538 (relating to school,  
25           examination or hearing on accumulation of points or excessive  
26           speeding), and had not been restored, the department shall  
27           suspend the person's operating privilege for an additional  
28           30-day period.

29           (2) If the department's records show that the person was  
30           under revocation on the date of violation, and had not been

1 restored, the department shall revoke the person's operating  
2 privilege for an additional two-year period.

3 \* \* \*

4 Section 4. Title 75 is amended by adding sections to read: <--

5 § 1543.1. Driving while operating privilege is suspended for  
6 certain other offenses.

7 (a) Certain other offenses. <--

8 (1) A person who drives a motor vehicle on any highway  
9 or trafficway of this Commonwealth at a time when the  
10 person's operating privilege is suspended under section  
11 1532(b)(2) (relating to suspension of operating privilege) or  
12 1533 (relating to suspension of operating privilege for  
13 failure to respond to citation) and the underlying offense  
14 for the suspension is a violation of section 1501(a)  
15 (relating to drivers required to be licensed) shall, upon  
16 conviction or adjudication of delinquency, be sentenced to  
17 pay a fine of \$50.

18 (2) A person who drives a motor vehicle on any highway  
19 or trafficway of this Commonwealth after the commencement of  
20 a second or subsequent suspension of the person's operating  
21 privilege under section 1532(b)(2) and no other violation and  
22 before the operating privilege has been restored is guilty of  
23 a summary offense and shall, upon conviction or adjudication  
24 of delinquency, be required to do one or both of the  
25 following:

26 (i) Pay a fine of \$200 or enter into an agreement to  
27 make installment payments for the fine imposed by the  
28 issuing authority or court.

29 (ii) In accordance with 42 Pa.C.S. § 1520 (relating  
30 to adjudication alternative program), enter into a

~~program of community service as approved by the issuing authority or court in lieu of satisfying the requirements under subparagraph (i). Upon receiving a report of a failure to complete the program, the department shall suspend the operating privilege of the person in accordance with section 1543(c)(1) (relating to driving while operating privilege is suspended or revoked).~~

~~(b) Citation of appropriate provisions. Prior to filing a citation for a violation of this section with the issuing authority named in the citation, the police officer shall verify the basis for the suspension with the department. Upon receiving the verification, the police officer shall cite the appropriate paragraph under subsection (a) on the citation.~~

~~(A) FIRST OFFENSE.--A PERSON WHO DRIVES A MOTOR VEHICLE ON ANY HIGHWAY OR TRAFFICWAY OF THIS COMMONWEALTH AT A TIME WHEN THE PERSON'S OPERATING PRIVILEGE IS SUSPENDED UNDER SECTION 1532(B)(2) (RELATING TO SUSPENSION OF OPERATING PRIVILEGE) OR 1533 (RELATING TO SUSPENSION OF OPERATING PRIVILEGE FOR FAILURE TO RESPOND TO CITATION) AND THE UNDERLYING OFFENSE FOR THE SUSPENSION IS A VIOLATION OF SECTION 1501(A) (RELATING TO DRIVERS REQUIRED TO BE LICENSED) SHALL, UPON CONVICTION OR ADJUDICATION OF DELINQUENCY, BE SENTENCED TO PAY A FINE OF \$50.~~ <--

~~(B) SECOND OR SUBSEQUENT OFFENSE.--A PERSON WHO DRIVES A MOTOR VEHICLE ON ANY HIGHWAY OR TRAFFICWAY OF THIS COMMONWEALTH AFTER THE COMMENCEMENT OF A SECOND OR SUBSEQUENT SUSPENSION OF THE PERSON'S OPERATING PRIVILEGE UNDER SECTION 1532(B)(2) AND NO OTHER VIOLATION AND BEFORE THE OPERATING PRIVILEGE HAS BEEN RESTORED IS GUILTY OF A SUMMARY OFFENSE AND SHALL, UPON CONVICTION OR ADJUDICATION OF DELINQUENCY, BE REQUIRED TO PAY A FINE OF \$200 OR ENTER INTO AN AGREEMENT TO MAKE INSTALLMENT~~

1 PAYMENTS FOR THE FINE IMPOSED BY THE ISSUING AUTHORITY OR COURT.  
2 IF THE PERSON IS UNABLE TO PAY, THE ISSUING AUTHORITY OR COURT  
3 SHALL PROCEED UNDER 42 PA.C.S. § 9730 (RELATING TO PAYMENT OF  
4 COURT COSTS, RESTITUTION AND FINES).

5 § 1557. Relief from administrative suspension.

6 (a) Restoration.--The department may restore the operating  
7 privileges of individuals from operating privilege suspensions  
8 imposed under any of the following:

9 (1) Section 1532(b) (relating to suspension of operating  
10 privilege).

11 (2) Section 1533(a), (b) or (d) (relating to suspension  
12 of operating privilege for failure to respond to citation).

13 (3) Section 1543 (relating to driving while operating  
14 privilege is suspended or revoked).

15 (4) Section 1544(a) or (c) (relating to additional  
16 period of revocation or suspension).

17 (b) Duties.--The department shall have all of the following  
18 duties:

19 (1) Notify each individual under a suspension of  
20 operating privilege who may be eligible for relief under the  
21 program based on the criteria specified under subsection (d).

22 (2) Review the applications filed for relief under the  
23 program and make a determination as to the applicant's  
24 eligibility for relief within 30 days of receipt of the  
25 application and all other required items.

26 (3) Determine if an applicant has satisfied all court-  
27 ordered obligations which resulted in a suspension of the  
28 applicant's operating privilege under section 1533(a), (b) or  
29 (d).

30 (4) Determine if an applicant's conviction of a

1 violation under section 1543 occurred only as the result of a  
2 suspension imposed under section 1532(b)(2), 1533 or 6146  
3 (relating to enforcement agreements) and if the applicant is  
4 currently under or will be under a suspension of operating  
5 privilege for a conviction under section 1543.

6 (5) Determine whether the granting of relief under the  
7 program would result in immediate restoration of the  
8 applicant's operating privilege.

9 (6) Prioritize the processing of applications for which  
10 the granting of relief will result in an immediate  
11 restoration of the applicant's operating privilege.

12 (7) Update the driver's records and restore the  
13 operating privilege of an individual as authorized under this  
14 section.

15 (c) Eligibility.--The program shall be available to an  
16 individual who meets all of the following criteria:

17 (1) The individual's operating privilege has been  
18 indefinitely suspended under section 1533(a), (b) or (d)  
19 before the effective date of this paragraph.

20 (2) The department's records show that the individual's  
21 operating privilege will be or is suspended for a conviction  
22 under section 1543(a) only as a result of a suspension  
23 imposed under section 1532(b)(2), 1533 or 6146 before the  
24 effective date of this paragraph.

25 (3) The individual has served the operating privilege  
26 suspension required for the underlying offense which resulted  
27 in a violation of section 1533(a), (b) or (d).

28 (4) The individual has submitted a completed application  
29 for relief to the department on a form specified by the  
30 department. The individual must submit all of the following

1 items with the application:

2 (i) A restoration fee.

3 (ii) Proof of financial responsibility.

4 (iii) If the individual does not own a motor vehicle  
5 currently registered in this Commonwealth, a signed  
6 statement certifying that the individual does not own a  
7 motor vehicle currently registered in this Commonwealth.

8 (d) Reinstatement.--The department shall amend the driver's  
9 record of an eligible individual to show that the individual  
10 satisfied the court-ordered obligations that resulted in the  
11 suspension of the individual's operating privilege under section  
12 1533. The department shall amend the driver's records of an  
13 eligible individual to show that suspension imposed for a  
14 violation under section 1543(a) will end or will not be imposed.  
15 The department shall rescind an additional suspension imposed  
16 under section 1544(a) for a violation that occurred at the same  
17 time as a violation of section 1543(a) from the driver's record  
18 of an eligible individual. The department shall not be required  
19 to reinstate the operating privilege of an eligible individual  
20 under this section if the department is authorized under this  
21 title to suspend the operating privilege of the individual for  
22 other violations of this title. Upon restoration from suspension  
23 under the program, the driver's record of an eligible individual  
24 shall show five points.

25 (e) Compliance.--The department shall not be required to  
26 restore the operating privilege of an eligible individual under  
27 this section until the individual has complied with section 1558  
28 (relating to relief from administrative suspension participation  
29 requirements).

30 (f) Definitions.--As used in this section, the following

1 words and phrases shall have the meanings given to them in this  
2 subsection unless the context clearly indicates otherwise:

3 "Eligible individual." An individual who meets the criteria  
4 specified under subsection (d) for relief.

5 § 1558. Relief from administrative suspension participation  
6 requirements.

7 (a) Form.--An eligible individual who seeks to participate  
8 in the Relief from Administrative Suspension Program shall  
9 respond to the court or issuing authority in conformance with  
10 the instructions in a restoration requirements letter. The  
11 department shall provide a restoration requirements letter to  
12 the eligible individual.

13 (b) Requirements.--In addition to the requirements under  
14 section 1960 (relating to reinstatement of operating privilege  
15 or vehicle registration), an eligible individual applying for  
16 relief under the program as required under section 1557(d)  
17 (relating to relief from administrative suspension), shall have  
18 the following duties:

19 (1) Except as provided under paragraph (2), the  
20 individual shall pay all court-ordered obligations  
21 immediately or in a single remittance.

22 (2) If the individual is unable to pay all court-ordered  
23 obligations, the individual shall: <--

24 ~~(i) pay in installments all court ordered~~  
25 ~~obligations after a hearing conducted by the court or~~  
26 ~~issuing authority to determine the individual's ability~~  
27 ~~to pay and the issuance of an order providing for~~  
28 ~~installment payments; or~~

29 ~~(ii) notwithstanding 42 Pa.C.S. § 1520(a) (relating~~  
30 ~~to adjudication alternative program), complete a court~~

1 ~~ordered public service or other adjudication alternative~~  
2 ~~program under 42 Pa.C.S. § 1520(b).~~ REQUEST THAT AN <--  
3 ~~ISSUING AUTHORITY OR A COURT OF COMPETENT JURISDICTION OF~~  
4 ~~THIS COMMONWEALTH PROCEED UNDER 42 PA.C.S. § 9730~~  
5 ~~(RELATING TO PAYMENT OF COURT COSTS, RESTITUTION AND~~  
6 ~~FINES).~~

7 (c) Proof of financial responsibility.--Notwithstanding  
8 section 1783 (relating to proof of financial responsibility  
9 before restoring operating privilege or registration), before  
10 restoring an operating privilege, the department shall require  
11 an eligible individual to provide the department with any of the  
12 following:

13 (1) Proof of financial responsibility.

14 (2) If the individual does not own a motor vehicle  
15 currently registered in this Commonwealth, a signed statement  
16 certifying that the individual does not own a motor vehicle  
17 currently registered in this Commonwealth.

18 (d) Certification.--For the purpose of determining whether  
19 an eligible individual may receive relief under the program, the  
20 court or issuing authority shall certify any of the following to  
21 the department:

22 (1) The individual has satisfied the amounts owed to the  
23 court or issuing authority.

24 (2) The individual entered into an agreement to pay in  
25 installments all court-ordered obligations.

26 (3) The individual has completed or satisfied all court-  
27 ordered public service requirements or other alternative  
28 adjudication programs.

29 (e) Definitions.--As used in this section, the following  
30 words and phrases shall have the meanings given to them in this



1 subsection unless the context clearly indicates otherwise:

2 "Eligible individual." An individual who meets the criteria  
3 specified under section 1557(d) for relief.

4 Section 7 5. Sections 1960 and ~~6504(a)~~ 6504 of Title 75 are <--  
5 amended to read:

6 § 1960. Reinstatement of operating privilege or vehicle  
7 registration.

8 The department shall charge a fee of \$70 or, if section 1379  
9 (relating to suspension of registration upon sixth unpaid  
10 parking violation in cities of the first class), 1380 (relating  
11 to suspension of registration upon unpaid tolls) or 1786(d)  
12 (relating to required financial responsibility) applies, a fee  
13 of \$88 to restore a person's operating privilege or the  
14 registration of a vehicle following a suspension or revocation.

15 The department shall waive a fee imposed under this section for  
16 a person who enters into an agreement for installment payments <--  
17 or a program of community service under section 1533(d)(1)(ii)  
18 or (iii) (relating to suspension of operating privilege for  
19 failure to respond to citation). A PROGRAM OF COMMUNITY SERVICE <--  
20 UNDER SECTION 1533(D) (RELATING TO SUSPENSION OF OPERATING  
21 PRIVILEGE FOR FAILURE TO RESPOND TO CITATION), MAKES AN  
22 AGREEMENT FOR INSTALLMENT PAYMENTS OR IS FOUND UNABLE TO PAY IN  
23 ACCORDANCE WITH 42 PA.C.S. § 9730 (RELATING TO PAYMENT OF COURT  
24 COSTS, RESTITUTION AND FINES).

25 ~~§ 6504. Inability to pay fine and costs.~~ <--

26 ~~(a) Order for installment payments. Upon plea and proof~~  
27 ~~that a person is unable to pay any fine and costs imposed under~~  
28 ~~this title, a court may, in accordance with 42 Pa.C.S. § 9758~~  
29 ~~(relating to fine), order [payment] any of the following:~~

30 ~~(1) Payment of the fine and costs in installments [and].~~

1 ~~The court shall fix the amounts, times and manner of payment.~~

2 ~~(2) Entry into a program of community service under~~  
3 ~~section 1533(d)(1)(iii) (relating to suspension of operating~~  
4 ~~privilege for failure to respond to citation), not to exceed~~  
5 ~~50 hours.~~

6 \* \* \*

7 § 6504. INABILITY TO PAY FINE AND COSTS. <--

8 [(A) ORDER FOR INSTALLMENT PAYMENTS.--UPON PLEA AND PROOF  
9 THAT A PERSON IS UNABLE TO PAY ANY FINE AND COSTS IMPOSED UNDER  
10 THIS TITLE, A COURT MAY, IN ACCORDANCE WITH 42 PA.C.S. § 9758  
11 (RELATING TO FINE), ORDER PAYMENT OF THE FINE AND COSTS IN  
12 INSTALLMENTS AND SHALL FIX THE AMOUNTS, TIMES AND MANNER OF  
13 PAYMENT.]

14 (B) IMPRISONMENT FOR NONPAYMENT.--ANY PERSON WHO DOES NOT  
15 COMPLY WITH AN ORDER ENTERED UNDER THIS SECTION MAY BE  
16 IMPRISONED FOR A NUMBER OF DAYS EQUAL TO ONE DAY FOR EACH \$40 OF  
17 THE UNPAID BALANCE OF THE FINE AND COSTS.]

18 (C) DEFAULT.--IF A PERSON DEFAULTS IN THE PAYMENT OF COURT  
19 COSTS, RESTITUTION OR FINES AFTER IMPOSITION OF A SENTENCE FOR A  
20 VIOLATION OF THIS TITLE, THE ISSUING AUTHORITY OR COURT SHALL  
21 PROCEED UNDER 42 PA.C.S. § 9730 (RELATING TO PAYMENT OF COURT  
22 COSTS, RESTITUTION AND FINES).

23 Section § 6. The following shall apply to any person who is <--  
24 currently under operating privilege suspension under 75 Pa.C.S.  
25 §§ 1533 and 1544, regardless of the date of the underlying  
26 offense:

27 ~~(1) The addition of 42 Pa.C.S. § 1520(e.1).~~ <--

28 ~~(2) The amendment or addition of 75 Pa.C.S. §§ 1501(d),~~  
29 ~~1532(b)(2), 1533(a), (a.1), (c) and (d), 1543(e), 1960 and~~  
30 ~~6504(a).~~

1           ~~(3) The addition of 75 Pa.C.S. §§ 1543.1, 1557 and 1558.~~

2           (1) THE AMENDMENT OF 42 PA.C.S. § 1520 (A).                           <--

3           (2) THE AMENDMENT OR ADDITION OF 75 PA.C.S. §§ 1533(A),  
4       (A.1), (C) AND (D), 1543(C), 1543.1, 1557, 1558, 1960 AND  
5       6504.

6       Section 9 7. This act shall take effect in ~~26 months~~ 18                   <--  
7       MONTHS.