
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 998 Session of
2023

INTRODUCED BY FARRY, LANGERHOLC, ROBINSON, DILLON, PHILLIPS-
HILL, MARTIN, CULVER, DUSH, VOGEL AND COSTA, DECEMBER 8, 2023

REFERRED TO TRANSPORTATION, DECEMBER 8, 2023

AN ACT

1 Amending Titles 42 (Judiciary and Judicial Procedure) and 75
2 (Vehicles) of the Pennsylvania Consolidated Statutes, in
3 forfeiture of assets, further providing for asset forfeiture;
4 in rules of the road in general, further providing for racing
5 on highways; imposing penalties; and making editorial
6 changes.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 5803(a) of Title 42 of the Pennsylvania
10 Consolidated Statutes is amended by adding a paragraph to read:
11 § 5803. Asset forfeiture.

12 (a) Applicability.--Notwithstanding any law to the contrary,
13 this section shall apply to forfeitures conducted under the
14 following:

15 * * *

16 (12.1) 75 Pa.C.S. § 3367 (relating to racing on highways
17 and trafficways).

18 * * *

19 Section 2. Sections 1532(b)(1), 1542(b)(2), 1553(d)(11),
20 3367 and 6503(a) of Title 75 are amended to read:

1 § 1532. Suspension of operating privilege.

2 * * *

3 (b) Suspension.--

4 (1) The department shall suspend the operating privilege
5 of any driver for six months upon receiving a certified
6 record of the driver's conviction of or an adjudication of
7 delinquency based on any offense under the following
8 provisions:

9 Section 3367 (relating to racing on highways and
10 trafficways).

11 Section 3714(b) (relating to careless driving).

12 Section 3734 (relating to driving without lights to
13 avoid identification or arrest).

14 Section 3736 (relating to reckless driving).

15 Section 3743 (relating to accidents involving damage
16 to attended vehicle or property).

17 * * *

18 § 1542. Revocation of habitual offender's license.

19 * * *

20 (b) Offenses enumerated.--Three convictions arising from
21 separate acts of any one or more of the following offenses
22 committed by any person shall result in such person being
23 designated as a habitual offender:

24 * * *

25 (2) Any violation of section 3367 (relating to racing on
26 highways and trafficways).

27 * * *

28 § 1553. Occupational limited license.

29 * * *

30 (d) Unauthorized issuance.--The department shall prohibit

1 issuance of an occupational limited license to:

2 * * *

3 (11) Any person whose operating privilege has been
4 suspended or revoked as the result of a conviction of or as a
5 result of a court order in conjunction with an adjudication
6 of delinquency or the granting of a consent decree for any
7 offense under the following provisions, unless the suspension
8 or revocation has been fully served:

9 Section 3345(a) (relating to meeting or overtaking
10 school bus).

11 Section 3367 (relating to racing on highways and
12 trafficways).

13 Any violation of Ch. 37 Subch. B (relating to serious
14 traffic offenses) or C (relating to accidents and
15 accident reports).

16 * * *

17 § 3367. Racing on highways and trafficways.

18 (a) Definitions.--As used in this section the following
19 words and phrases shall have the meanings given to them in this
20 subsection:

21 "Drag race." The operation of two or more vehicles from a
22 point side by side at accelerating speeds in a competitive
23 attempt to outdistance each other, or the operation of one or
24 more vehicles over a common selected course, from the same point
25 to the same point, for the purpose of comparing the relative
26 speeds or power of acceleration of the vehicle or vehicles
27 within a certain distance or time limit.

28 "Drifting." The intentional act of steering a vehicle in a
29 circle where the rear wheel or wheels of the vehicle lose
30 traction and create a controlled skid sideways.

1 "Race." The use of one or more vehicles in an attempt to
2 outgain, outdistance or prevent another vehicle from passing, to
3 arrive at a given destination ahead of another vehicle or
4 vehicles, or to test the physical stamina or endurance of
5 drivers over long distance driving routes.

6 (b) General rule.--No person shall drive a vehicle on a
7 highway or trafficway in any race, speed competition or contest,
8 drag race or acceleration contest, test of physical endurance,
9 exhibition of speed or acceleration, or for the purpose of
10 making a speed record, and no person shall in any manner
11 participate in any such race, competition, contest, test or
12 exhibition.

13 (b.1) Drifting.--No person shall engage in the drifting of a
14 vehicle on a highway or trafficway.

15 (c) Permits for special activities.--The department or local
16 authorities within their jurisdiction may issue permits for
17 special activities which would otherwise be prohibited by this
18 section.

19 (d) [Penalty.--Any person violating this section is guilty
20 of a summary offense and shall, upon conviction, be sentenced to
21 pay a fine of \$200.] Penalties.--

22 (1) A person violating subsection (b) commits a summary
23 offense and shall, upon conviction for a first offense, be
24 sentenced to pay a fine of \$500.

25 (2) A person violating subsection (b) commits a summary
26 offense and shall, upon conviction for a second or subsequent
27 offense, be sentenced to pay a fine of \$2,000 and the vehicle
28 used in the commission of the offense shall be subject to
29 forfeiture under 42 Pa.C.S. Ch. 58 (relating to forfeiture of
30 assets).

1 (3) A person violating subsection (b.1) commits a
2 summary offense and shall, upon conviction, be sentenced to
3 pay a fine of \$250.

4 (4) A person that organizes, controls, promotes or
5 finances two or more persons in a course of conduct that
6 violates subsection (b) or (b.1) commits a summary offense
7 and shall, upon conviction, be sentenced to pay a fine of
8 \$1,000 per vehicle engaged in the conduct that violates
9 subsection (b) or (b.1).

10 (5) A person that organizes, controls, promotes or
11 finances two or more persons in a course of conduct that
12 violates subsection (b) or (b.1) that results in the injury
13 or death of an individual commits a felony of the third
14 degree and shall, upon conviction, be sentenced to a term of
15 imprisonment of not less than one year nor more than seven
16 years.

17 § 6503. Subsequent convictions of certain offenses.

18 (a) General offenses.--Every person convicted of a second or
19 subsequent violation of any of the following provisions shall be
20 sentenced to pay a fine of not less than \$200 nor more than
21 \$1,000 or to imprisonment for not more than six months, or both:

22 Section 1543(a) (relating to driving while operating
23 privilege is suspended or revoked) except as set forth in
24 subsection (a.1).

25 Section 3367 (relating to racing on highways and
26 trafficways).

27 Section 3734 (relating to driving without lights to avoid
28 identification or arrest).

29 Section 3748 (relating to false reports).

30 * * *

1 Section 3. This act shall take effect in 60 days.